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SWITZERLAND

SWITZERLAND;

OR, A JOURNAL OF A

TOUR AND RESIDENCE

IN THAT COUNTRY,

85934

IN THE YEARS 1817, 1818, AND 1819:

FOLLOWED BY

AN HISTORICAL SKETCH ON THE MANNERS
AND CUSTOMS OF

ANCIENT AND MODERN HELVETIA,

IN WHICH

THE EVENTS OF OUR OWN TIME ARE FULLY DETAILED;
TOGETHER WITH THE CAUSES TO WHICH
THEY MAY BE REFERRED.

BY L. SIMOND,

AUTHOR OF

JOURNAL OF A TOUR AND RESIDENCE IN GREAT BRITAIN,
DURING THE YEARS 1810 *AND* 1811.

IN TWO VOLUMES.

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SWITZERLAND.

CHAPTER I.

Helvetia discovered by the Greeks, and described by them—Cæsar its first Historian—He repressed the Helvetic Invasion of the Roman Provinces.

THE obscurity which so often attends the origin of nations is not wholly due to the absence of all early records, but also to the variety of descent of the first inhabitants, brought together from different countries, at different periods. We might as well ask what waters first penetrated into the Mediterranean, as what race of men first discovered, or first occupied, any particular spot of the earth. In an attempt to remove this obscurity, in regard to Switzerland, Muller, its learned historian, establishes on certain passages of the classics the following ingenious theory.

A colony of Phoceans*, reduced by the arms of Cyrus, abandoned their own country, and founded, near the mouth of the Rhone, a city called *Massilia*, (Marseilles), which soon became rich and powerful. They afterwards, he says, explored the whole course of the Rhone, as far as its junction

* Herodotus.

with another river, (the Saone), where Lyons arose in after times; and, still guided by the Rhone, they reached a chain of mountains, the Jura*, through which that river pours its waters by a narrow channel. They discovered beyond those mountains, *the melancholy abode of the Celts*†, on the banks of a great lake, which they called the *lake of the wilderness*‡. Pursuing their journey along its banks, they found the Rhone again entering it, and observed the difference between the colour of the waters. They marked the long narrow vale, *dark abode of eternal night*§, along which the Rhone pursues its rapid course to the lake. The lofty mountains, where its source is hid, they poetically compared to the *pillars of the sun*‖, (solis columnas), probably from the circumstance of its rays dwelling upon them long after it was apparently set.

It is curious to imagine such a country as Switzerland, in the state in which the interior of

* "*Jou Rag*, in Celtic, *reign of God*," says Loys de Bochat, "is the name of one of the Hebrides, very high and mountainous, and the ancient name of Grand St. Bernard was *Jou*, which is more likely to be of Celtic than of Roman origin, *Mons Jovis*."

† Apollonius Rhodius.

‡ Rufi Festi Avieni. Descriptio Oræ Maritimæ a Gadibus ad Massiliam usque.

§ Apollonius Rhodius. ‖ Festus.

America is in our days, and to hear Grecian adventurers speaking of the Rhone and the Lake of Geneva, much as Canadian hunters do of Lake Michigan and the Blue Fox river!

When the Helvetians invaded the Roman provinces in Cæsar's time, they carried a return of their forces in the Greek language, and this circumstance, mentioned in the Commentaries*, might in some degree countenance the foregoing historical theory, and even the supposition† that the Greeks established colonies in Helvetia, between the Reuss and the Rhine. Yet when, at this day, we find the archives of every German state full of Latin documents of the middle ages, we do not conclude that the inhabitants are of Roman origin.

Helvetia received the name of Switzerland about the middle of the fifteenth century, and the Helvetians are noticed, for the first time in Roman history, little more than a century before our era, as allies of the Cimbres and Teutones, invading the Roman provinces. These confederates defeated the consul Silanus, near Marseilles; but an-

* Cæsar says, that this return of the Helvetian forces, found in their camp after their defeat, was written in *Greek letters*, which might mean in the Grecian language, or Grecian characters only, probably the latter.

† The Swiss antiquarian, Loys de Bochat.

other Roman army passing the Alps in their rear, compelled them to return in haste to defend their own country. A young hero, (Diviko), certainly the first Helvetic name on record, commanded his countrymen; Lucius Cassius, the Romans. The two armies met about the place where the Rhone falls into the Lake of Geneva, and the conquerors of all Italy, the masters of Greece and Macedonia, who had carried their victorious arms over Asia and Africa, were again overcome by a people hitherto unknown. . . . . .

646 of Rome. The consul and his lieutenant fell, and the defeat was so total, that the vanquished were compelled to give hostages, and to pass under the yoke, before they were permitted to retire. Cæsar speaks positively as to this extraordinary fact. The astonishment and terror of the Romans became extreme, when soon after these disasters a third consular army of eighty thousand men was defeated in like manner, and almost totally destroyed. Rome never was in greater peril, but the barbarians did not know how to avail themselves of their success; and continuing to carry on a desultory war, with divided forces, Caius Marius obtained a victory over a large body of them, near Aix, (Aqua Siatia) in Provence, and soon after another in Italy, on the banks of the Adige. The Cimbres and Hel-

vetians united were, at this last battle, 150,000 strong; their infantry is represented as fighting in close order, armed with long pikes; their cavalry wore iron armour, with shields and crested helmets. These circumstances are worthy of some attention, for the art of working metals, and especially iron, shows a state of civilization considerably advanced, yet the geography of the Romans scarcely extended to such a people in their neighbourhood. Marius, much inferior in numbers, was very near losing a day which might have proved the last of Rome, and, satisfied with having for this time saved the republic, he did not attempt to follow the Helvetians to their native mountains. It was fifty years after this event that their power sank before the rising genius of Cæsar, whose Commentaries furnish us with a few facts concerning them. They were, he tells us, pre-eminently brave among the Gauls, from their being in a constant state of warfare with their neighbours on the other side of the Rhine. The extent of their country was much what it is at this day.

A distinguished chief among them, called Orgetorix*, possessed of 10,000 slaves, and of great

* An engraving of a medal of Orgetorix may be seen in Bouteloue's work on coins. Paris, 1666, page 51. It bears his name; the head on one side, and the wild horse on the reverse, (an emblem of liberty), are not ill executed, and indicate an advanced state of the arts. As the characters of this medal are

wealth acquired in war *; his restless ambition led him to propose the extraordinary measure of an armed emigration of the whole nation into Gaul. The people approved his project, and employed three years in raising a great stock of provisions for the use of the expedition, in which they invited their German allies to join. Orgetorix became, in the mean time, an object of suspicion to the people; accused of criminal views, imprisoned and brought to trial, he at last perished by his own hand; but the preparations for the intended invasion were nevertheless continued, and the time appointed for its execution was the 28th March, of the year 696 of Rome, fifty-eight years before our era.

The sick and the old, the women and children, with their most valuable effects, and three months'

Roman, a doubt might arise as to its authenticity, if the medals of the Gauls, whose language was not that of the Romans, had not Roman characters likewise. Some antiquarians, such as Gasper, Odericus, and Eckhel, will not admit that this medal belonged to the *Orgetorix* of Cæsar, principally on account of the different orthography of the name; spelt *Orciterix*.

* Tacitus observes, that the slaves of the Helvetians did not live in the family of their masters, as was the custom among the Romans, but furnished them with stated quantities of grain, cattle, clothing, &c. In general they were not ill used, nor over worked, although a master might kill his slaves with impunity. Cæsar and Tacitus are almost the only sources from which we learn any thing of the state of society among the ancient Germans.

provisions, were placed on carriages drawn by oxen *; and it is positively asserted by Cæsar that the Helvetians, before their departure, set fire to all their towns, twelve in number, and 400 villages; in short, they destroyed all they could not carry away; and their allies followed the example. There were, as Cæsar afterwards ascertained from their Grecian register, 263,000 Helvetians, and 105,000 allies from the Jura, the Lake of Constance, the Grisons, and the Tyrol, amounting together to 368,000 persons, of whom 92,000† were fighting men, commanded by Diviko, the conqueror of the Romans half a century before. At the first appearance of this gathering storm, Cæsar hastened from Rome to Geneva, a town of which no mention occurs before; it was not a part of Helvetia, but belonged to the Allobroges, allies or subjects of Rome, whose territory comprehended all Dauphiné and Savoy, having the Rhone for their northern boundary.

The Helvetians applied for a free passage through the country of the Allobroges, with an assurance that they would abstain from all depredations. Cæsar, who had only one legion to oppose to the

* We may from this form an idea of the manner in which the armed emigrations of northern barbarians, that overran the Roman empire, were conducted.

† This is a great proportion of fighting men, yet as no able male was excepted, they might muster that number.

vast multitudes, gained time by evasive answers, but refused at last. He had in the mean time thrown up an intrenchment, extending from the lake to the mountain, in order to prevent their passage. This great work, sixteen feet high, and five leagues in length *, has occasioned much learned controversy in our days. Some historians, and Spon in particular, place it on the north side of the Rhone, from Nion, on the Lake of Geneva, to the Dôle, the highest part of the Jura, in the direction of Gingin, and some remains of ancient walls seemed to countenance the idea. The two passages through the Jura, l'Ecluse and les Echelles, would thus have been equally shut out. The learned commentator of Spon, and after him Clarke, have adopted a different opinion. They remark, that Cæsar, as soon as he arrived at Geneva, destroyed the bridge over the Rhone, or at least that half of it which extended from the island to the Helvetian side, building a strong tower on the island. He would not have done this had he meant to occupy the other side; nor could he, with only five or six thousand men, have constructed such a work in presence of a host of enemies. The probability is, therefore, that this intrenchment was constructed

* By *murum in altitudinem pedum* 16, *fossamque perducit*, we must understand a rampart formed of the earth of the ditch thrown up, and bound together by means of fascines, and not a wall.

from Geneva, along the southern bank of the Rhone, to the gap through the Jura, which, being on his own ground, and the Rhone between him and the enemy, he could effect without interruption. Besides, the distance agrees with the 19,000 paces* mentioned by Cæsar, whilst there are only about 5,000 steps from Nion to the Dôle.

The Helvetians, after many fruitless endeavours to force the intrenchment, by crossing over on rafts, and at various fords, gave up the enterprise, and pursued their way along the *Pas-de-l'Ecluse*. Cæsar might expect that the people on the other side of the Jura, north of the Rhone, called Sequanians, would defend the entrance into their country, but the Helvetians had gained over a powerful chief among them, Dumnorix, and they passed unmolested.

It is certainly difficult to understand how this invasion, the subject of public debates in popular assemblies during three years, and in actual preparation all that time, should have found the Romans so little on their guard, and the blame seems to rest with Cæsar himself, who was pro-consul in Gaul a year before; but he repaired his fault most

* The distance in a straight line is four leagues of twenty to a degree, and, following the course of the river, something less than five leagues, being very nearly the 19,000 paces required.

ably. Destitute of means to stop the Helvetians, he saw them pour their multitudes through the Jura, without opposition, and leaving the defence of his camp to his lieutenant, Labienus, he hastened to Italy, in order to effect a levy of troops. Having raised two legions, and called out three more from their winter-quarters, he fought his way by the nearest road over the Alps (Mount Cenis), to Lyons*, and, with incredible diligence, appeared

* The learned Muller seems to have fallen into an unaccountable error here; he makes Cæsar pass by *Duomo d'Ossola*, instead of by *Mount Cenis*. The original passage in the Commentaries runs thus:—

"Qua proximum iter in ulteriorem Galliam per Alpes erat, cum his quinque legionibus ire contendit. Ibi Centrones* et Graioceli† et Caturiges‡, locis superioribus occupatis, itinere exercitum prohibere conantur. Compluribus his prœliis pulsis, ab Ocelo §, quod est citerioris Provinciæ extremum, in fines Vocontiorum || ulterioris Provinciæ die septimo pervenit, unde in Allobrogum fines: ab Allobrogibus in Segusianos ¶ exercitum ducit: hi sunt extra Provinciam trans Rhodanum primi."

* People of the Tarentaise. † People of the Valley of Maurienne.
‡ People of Embrun.

§ Exiles—a small town of Piedmont, or, according to d'Anville, Usseau, Non Exiles, above Susa, at the foot of Mount Cenis. Muller supposes *Ocelo* to mean *Duomo d'Ossola*.

|| People of Die and of Vaison. ¶ People of Lyons.

The above explanation of names of places and people is taken from Count Turpin de Crisse's Notes on Cæsar's Commentaries. We have not the smallest pretensions to original criticism on the subject, but Count Turpin appears to us in the right.

in the rear of the Helvetians before they had entirely effected their passage over the Saone. It had taken the unwieldy multitude twenty days to transport themselves across the river, and their rear-guard, forming one-fourth of their number, was cut off by the Romans, who passed in a day. This celerity astonished the barbarians, and their old chief, Divico, in a personal interview with Cæsar, proposed terms, which were, however, too high, and too proudly offered for acceptance. The Romans were 40,000 strong, but their cavalry, furnished by allies of doubtful fidelity, experienced a check from the sudden attack of the Helvetian horse; they were, besides, in great want of provisions. In this extremity, an opportunity for which Cæsar had been anxiously watching occurred, of inducing a general attack from the enemy at a disadvantage, when, availing himself of the superior discipline of his troops, he defeated them in a sanguinary and long disputed battle, of which Plutarch gives a detailed account. This action was the first of those which were to place the Roman hero so far above all other military commanders; a disorderly multitude of 300,000 souls, scarcely more than one-fourth of them fighting men, would now be deemed no match for a well appointed army of 40,000 men, even without Cæsar at its head; yet when we consider that

armies did not then fight at distance, by means of artillery, but came to close encounter on all occasions, the odds between able-bodied barbarians and trained soldiers appear very much diminished.

Cæsar followed the discomfited Helvetians some weeks longer, never departing a moment from his usual calmness and prudence; ready to grant liberal terms, but punishing with the utmost rigour every attempt to deceive him. Whilst treating for a surrender, a body of 6,000 men escaped in the night, but being overtaken and brought back, they were all put to the sword! After this sanguinary execution, the remainder of the invading multitude, reduced to 100,000 individuals, were permitted* to return to the country they had so lately forsaken, with nearly four times that number, and there to rebuild their houses, thenceforth to live at peace as allies of the Republic, protected from their northern enemies by the terror of her name, "*Cæsar ne leur donnant*," says Montaigne, "*autre garnison que la mémoire de sa douceur et clémence.*"

A reputation for clemency was cheaply obtained

* Rome did not always ratify the treaties made by her generals, and in that case gave up the general to the enemy. Such appears to have been their public law. The power of making peace and war, without consulting the senate, was conferred upon Cæsar for the first time after the battle of Pharsalia.

in Cæsar's time, and the feeling may be said to have been nearly unknown in antiquity; if any other fact was necessary, besides the execution just mentioned, to give an idea of Cæsar's clemency, the following may assist in the estimate. Cæsar himself tells us without disguise, or the slightest appearance of regret, that the Veneti (the people of Vannes in Lower Brittany), reduced to great extremities by his arms, surrendered; but he, willing to give an example of severity, had the whole senate put to death, and the people sold at public auction!

The sort of independence the Helvetians were allowed to retain, after their return to their own country, lasted only six years, and they, like the rest, were reduced to a state of unconditional subjection. The Romans themselves bear ample testimony to the nature of that state. "Remember," said Cicero to the people of Rome, "the marches of your armies through Italy, and judge what foreign nations have to undergo."

CHAPTER II.

Geographical Description—The Rhetians or Hetrurians—Ancient Helvetia, a League of Four States, resembling the Swiss Confederation—Helvetian Character changed under Roman Control, and Civilization advanced—Aventicum—National Manners—Rapacity of Roman Travellers—Helvetia subjected to military Execution—Affecting Story of Julia Alpinula.

HELVETIA was bounded, at that time, much as modern Switzerland, by the lake of Geneva, the chain of the Jura, from that lake to the Rhine, near the spot where Basle arose many centuries after, near the ruins of *Augusta Rauracorum*, a magnificent city, founded by the Romans, in the year of Rome 703; thence along that river to the lake of Constance; thence by an irregular and uncertain line over the mountains of Appenzel, and the high ridges and glaciers forming the northern skreens of the narrow valleys of the Upper Rhine, and the Upper Rhone, flowing in opposite directions from the St. Gothard. The inhabitants of the valley of the Rhone retained their independence for some time after the subjugation of Helvetia, but having been accused of exactions upon the traders and travellers into Italy, by the St. Bernard, the St. Gothard, and the Simplon, the Romans established a camp at Octodurum, (on or near the present site

of Martigny), to keep them in check. This camp, commanded by Galba, was attacked by the people with great skill and courage, and saved, with the utmost difficulty, by the valour of the Romans. A very interesting account of this action is given by Cæsar himself in his *Commentaries*. Ten thousand of the barbarians perished in the attempt, but Galba was obliged to withdraw his reduced forces nearer to Geneva.

Another race of men occupied the valley of the Rhine, and the chain of mountains between that river and Italy: they were descended from that very ancient people, to whom the Greeks and the Romans had given the names of *Tyrrhenians*, *Truscans*, or *Hetruscans*, but who it seems called themselves *Rhetians*. Driven from the banks of the Tiber, they occupied, during several centuries, the celebrated vale of the Arno, in Tuscany, then (*Tuscia*), forming a league of twelve independent cities. The first inroads of the Gauls induced many of them to abandon this luxurious abode, for one of greater safety in the deep recesses of the Alps, where, forgetting by degrees the arts and civilization of better times, they became mere barbarians, and, changing characters with their former tormentors, now civilized and peaceful, were in their turn the terror of Cisalpine Gaul, committing the

most cruel ravages in the great valley of the Po, and sacking, with impunity, the tributary towns of the mistress of the world. During these changes of residence, mode of life, and manners, the Rhetians preserved the same language they had at the foundation of Rome; and, even at this day, after the lapse of 2500 years, the *Ladinum*, spoken in the valley of the Inn (Engadine), and the Romansh spoken in the mountains, and their northern slope towards Illantz, are still essentially the very language described by Livy; and the names of many of their towns, such as *Lavin*, *Ardetz*, *Susch*, *Flœsh*, *&c.*, recall the ancient *Lavinium*, *Ardea*, *Susa*, *Faliscum*. Octavianus Augustus, in the year of Rome 738, sent an army against them, commanded by his sons-in-law, Claudius Drusus, and Claudius Tiberius Nero. Some brilliant qualities distinguished the latter at that period, and Drusus was a young hero, in whom the spirit of the great Cæsar seemed to revive. They encountered the most desperate resistance on the part of the Rhetians, whose very women, animated with a fury which extinguished every human feeling, were seen to hurl their infant children at the heads of Roman soldiers, and rush upon their swords! This people were the last subdued among the nations of the Alps. Most of those who survived,

past the Rhine, and went under the guidance of a German chief, called Marbode, to seek among the Carpathian mountains, a country where the Romans had not penetrated*. Tiberius gave their lands, some years after, to a colony of 40,000 Swabians.

Half Germany, half the world remained at this period an unpeopled wilderness. Was then that world so new? Had it but lately recovered from one of those wide wasting catastrophes, which every geological appearance teaches us to believe have at different periods torn up, mixed together, and recast, as it were, the surface of our earth, sweeping off, as might be supposed, its inhabitants

* How far the conquests of the Romans extended in the Alps and in the Pyrenean mountains is not known, nor whether their civil and military system of government ever prevailed there. Several districts in these high regions seem to have been like so many political *oases*, surrounded on all sides by the Roman dominions. The fact of the original language of the *Basques* in the Pyrenean mountains remaining pure and unmixed, while France and Spain lost theirs, is a strong instance of the kind. F. L. Haller, the most exact and the most modern of all the antiquarians, who investigated this subject, designated on the map annexed to his excellent work, (*Helvetia under the Romans*, 2 *vols. Berne*, 1812) all that portion of the Alps, extending from the sources of the Rhine to the valley of Lauterbrunn, by the name of *Gentes Alpinæ indomitæ*.

all at once into their common tomb, and scarcely leaving a few solitary individuals to begin anew the long course of education of the succeeding race? Hunters, during many centuries, each family requiring a province and making war for a hare; then shepherds, increasing their numbers in a state of comparative peace and affluence; then husbandmen dividing the land, and erecting houses, villages, and towns—the slow progress of thousands of years! Yet these same geological appearances, so eloquent on the natural history of a former world, say nothing of our species: not a vestige of human remains has ever been discovered among the fossil bones of animals, so profusely mixed with and embodied into our rocks and mountains. Inert matter bears the stamp of a living world, where man was not: revealing thus more than one period of creation, and a difference of origin assuredly very remarkable.

Cæsar informs us, that Helvetia was divided into four states, called Pagi, a sort of league, like the present Swiss Confederation, for mutual defence, without any thing else in common. He frequently mentions the council of the Gauls (*totius Galliæ concilium*), which was composed of deputies from all the towns. Far from abolishing

the custom, Cæsar encouraged it, appointing the place of meeting, which was often changed, and showing displeasure when any of the towns declined making use of their privilege. It was maintained under Augustus, notwithstanding the new division of Gaul, and under his successors. One of these assemblies we find to have been held during the reign of Vespasian: they continued in the kingdom of Burgundy, and until the conquest by the Franks, who in other respects endeavoured to conciliate the people more than the Romans had done. Gregory of Tours says, these new masters were preferred: others observe, that the people were reduced to look for humanity among Barbarians, as it was no longer to be found among the Romans. Under the latter a popular assembly could hold out but a mere semblance of independence, subservient to their interest. They took care to keep alive, in all the towns of their allies, two opposite factions; and if their own was defeated, it furnished them with a pretence for sending a special magistrate, called *corrector* *, to assist in pacifying internal divisions, and reducing the refractory to obedience. Yet the country flourished under their

* Montesquieu.

government, for life and property were in the main protected, good roads made, and agriculture encouraged; population was rapidly augmented, and a successful trade was carried on, timber found a market down the Rhine, and forests gave way before the plough.

A great change had taken place in the national character, from the rude virtues and vices of barbarians, to the refinements of polished life. The Helvetians had become so courtly during the long reign of Augustus, that most of their cities established religious rites in his honour, and worshipped him after his death in magnificent temples built for the purpose. The principal families added the name of some powerful Roman to their own, by a sort of servile acknowledgment of superiority, and cities erected public monuments to their Roman curators and patrons; whilst the name of Diviko was scarcely remembered, national eminence of whatever sort sinking before the greatness of the metropolis of the world. Whenever a Helvetian or any stranger became a citizen of Rome, he not only (unless he had obtained the privileges of consanguinity *jura cognationis*) gave up for ever his own country, but every tie also of kindred, renouncing his nearest relations, and even his children; thus, in

the words of the younger Pliny, converting a great benefit into a domestic curse! On the other hand, when a Roman senator wished to travel, whether for pleasure or business, he requested, and was never refused the title of ambassador, which involved the right to reside wherever he pleased, and as long as he pleased, in a foreign country, without any real mission, but at the expense of the country thus honoured. These counterfeit excellencies had become so numerous as to be a grievous burthen on the allies. Cicero, senator as he was, and a great stickler for prerogative, spoke nearly thus to the Roman people*: "Although these public functionaries have neither power nor trust, yet their nominal dignity gives them a consequence, and they know how to avail themselves of the awe their very name inspires. When I was consul, I would have put an end to this shameful abuse, if I had not been opposed by a fool of a tribune: all I could obtain was, that the privilege hitherto indefinite, should be reduced to one year." Cæsar found this restricting law of Cicero in force, but it did not subsist long without an amendment carried by himself, which extended the privilege to five

* Cicero de lege agrar. cap. 17.—et de legibus, lib. 3. cap. 8.

years, and Cicero made the following remark in an epistle to Atticus: "Bella est autem hujus juris quinquennii licentia*." These favoured travellers did not always content themselves with this immunity from their inn-bills, but laid claim to any tempting curiosity that came in their way; for we find the Sicilians, who had more to lose than the poor Helvetians, complaining bitterly that the very statues of their gods were missing from their temples.

The revenue was collected by public officers, called exactors, who often farmed it out. Some idea may be formed of their proceedings by the very words of a decree of the senate. "Whenever a farmer of the revenue is established, the liberty of our allies must fall a sacrifice, or our public law must be abandoned." Before the reign of Trajan, the administrators of the provinces were the only judges of the complaints of the inhabitants against the exactors. Tacitus has transmitted to us the lamentations of the Britons on the universal system of oppression of the masters of the world. "We had a king before, now we

* English tourists might use their influence in procuring a bill to be passed in parliament to the same purpose, embracing at least Greece and Rome. The Pope and the Grand Seignior could not well haggle about a trifle with their powerful ally.

have two; the governor (*legatus*), who disposes of our lives, and the administrator (*procurator*) of our goods: their rapacity and violence know no bounds*."

The government of the Romans exhibited a singular and monstrous mixture of good and evil; but the benefits conferred by the hand of arbitrary power continued only as long as that hand happened to be directed by virtue or wisdom. Cæsar and Augustus to-day—Tiberius and Nero to-morrow. In time the favourable intervals became shorter, and the relapses to folly and wickedness more frequent. The subjects of Rome were indeed protected against foreign foes; but this ultimately proved the cause of their ruin by the barbarians, when Rome ceased to be strong, and they had forgotten how to protect themselves.

After a century of profound peace and passive obedience, the Helvetians were wantonly subjected to military execution by a legion, significantly called *Rapax*, by Tacitus, being employed, it seems, in the collection of the revenue. At a time when transitory emperors, murdering and murdered at the beck of a corrupt soldiery, followed each other in such a rapid succession that

* Ubi publicanus est ibi aut jus publicum vanum aut libertas sociis nulla est.—*Livy*, lib. xlv. cap. 18.

the provinces scarcely knew who reigned at Rome, the Helvetians once mistook the allegiance of the day, and acknowledged a sovereign already dead, Galba, instead of Vitellius, elevated to the throne by his murderers*. Their greatest crime was having detained a centurion and some soldiers as prisoners. The commander of the legion Rapax, one Cecina†, hastening to march against them, and inflict the punishment, for fear they should repent in time, ravaged the whole country by fire and sword, with the wish *to exterminate a nation who durst lay hands on Roman soldiers.* The historians of the time are sparing of details, but a monumental stone, found after the lapse of fifteen

* Les Helvetiens jouissoient de beaucoup de liberté sous Galba; ils ignoroient sa mort, et regardoient Vitellius comme un rebelle; ils crurent pouvoir s'opposer aux soldats, qui avoient embrassé son parti: leur resistance leur fut fatal. Tacite nous apprend que bien des million des habitans perirent par le fer de cette 21me legion, surnommé *rapax* par Tacite, et un plus grand nombre fut vendu en esclavage. Vespasien n'avoit pas borné ses faveurs à la cité d'Avenches; il orna Vindonissa d'un arc consacré a Mars, Apollon, et Minerve, l'an de Rome 828, et de notre ere 76. Les antiquaires ont remarqué que ces arcs étoient bien moins commun que ceux en honneur des princes. Bochart donne l'inscription trouvée sur ce monument qui n'existe plus.

† "Cæcina, belli avidus," says Tacitus, "proximam quamque culpam, antiquam pœniterit, ultum ibat."

centuries under the ruins of Aventicum, the capital of the country, throws some light on an affecting story, scarcely touched upon by Tacitus. On the approach of Cecina, the inhabitants of that city sent messengers to treat of peace: the ferocious soldiers demanded an unconditional surrender, and the death of Julius Alpinus, their first magistrate. His daughter begged his life in vain, at the feet of Cecina: he was inexorable, and she soon after died of grief. "Here lies," says the stone, "Julia Alpinula, the unfortunate daughter of a most unfortunate father, a priestess of the goddess Aventia. She was unable to save her father from an ill-fated death, and died herself at the age of twenty-three*."

The city of Baden, sacked and destroyed on this occasion, was a fashionable bathing-place—a circumstance which shows the great progress the Helvetians had made in luxury and refinement since the days of Cæsar; but be it remembered

* Julia Alpinula, hic jaceo
Infelicis patris infelix proles;
Dea aveat—sacerd.
Exorare patris necem non potui.
Male mori in fatis illi erat.
Vixi annos XXIII.

Transcribed by *Loys de Bochat*.

that they had opposed Cæsar with great courage, whilst now they bent the knee before the obscure commander of a single legion. A solemn deputation, sent to deprecate the wrath of Vitellius, did not venture to lay their grievances before that emperor. Far from such boldness, they confessed themselves guilty of all he was pleased to lay to their charge, and shed tears of repentance. Cessus, one of the deputies, a great orator, even feigning to be intimidated, and by this refinement of slavish eloquence calming the soldiery, who had been clamorous for the entire destruction of the Helvetians. After this frightful chastisement, Rome allowed her slaves a long holiday of one hundred years, during which the rod fell gently, held, as it was, by several good emperors. Vespasian, who succeeded Vitellius, endeavoured to heal the wounds his predecessor had inflicted*. Historians say expressly he repeopled Aventicum with a colony of veterans, which proves that the destruction had been nearly complete.

Numerous inscriptions, discovered among the ruins of this capital†, and carefully recorded by

* The father of Vespasian was a collector of the revenue, and a merchant, and had amassed great wealth in Helvetia.

† There were not, properly, any capitals of the Roman provinces, as the government was not stationary. The title of

Spon and Bochet, vie with each other in rapturous allusions to public and private felicity. Others prove that there were colleges and professors of various sciences in the country. Pliny is full of descriptions, furnished by the diligence of learned Helvetians, of the plants, fish, minerals, and animals of their lakes and mountains. Columella, Varro, Virgil, Suetonius, attest the rapid improvements of their agriculture, and the merit of Rhetian wines and Helvetic cheeses. They had temples to the sun and moon, and to every god of Olympus. They adored the tutelar genius* of each hill and stream, and the spirits of the dead wandering among them. The itineraries mention a multitude of towns, boroughs, and public monuments of various sorts, now quite unknown; thus proving that the country was full of inhabitants in an advanced state of civilization; and there our information stops. With such slender materials we are left to guess what these people were. Generation after generation appeared and disappeared, tasted the cup of mingled joy and sorrow, and died in peace—a happy people, till the hour of universal darkness struck!

caput gentis, given to so many towns by ancient geographers, meant only a place of some importance.

*. Dis manibus.

It is a matter of conjecture which of the gigantic hosts of barbarians, pressing on the Roman empire in the third, fourth, and fifth centuries, crushed Helvetia in its way; not even the date is known. Aventicum itself appears to have been destroyed by fire, from the quantity of coals and ashes found every where among its ruins*. Not one contemporary historian speaks of the fact; but their silence is most eloquent. Great calamities are generally recorded with care—here no one survived to tell the melancholy tale, or rather no one attended to it. The destruction of a nation had become a common occurrence.

* Had we grounds to rely upon the existing tradition, that Aventicum was three times destroyed, we might refer those disastrous epochs to the space of time between A. D. 267 and 280, to the years 304 and 350.

CHAPTER III.

Last Struggles of the Roman Empire—Attila and the Huns, Burgundians, Alle-manni, Ostrogoths occupying Helvetia in the Fifth Century—The Burgundians dispossessed by the Franks—Burgundian Laws described—Government of the Descendants of Clovis—Hermits' Cells and Monasteries—Utility of the latter.

THE agonies of Rome were long and terrible, an inward disease, more fatal than the wounds inflicted by barbarians, preyed upon her; but, amidst the convulsions of death, a blow of her enfeebled hands scattered more than once the devouring multitude. Fifteen emperors perished by the hands of their own mercenary and ungovernable soldiery; yet a few appeared at intervals more able to wield the sceptre and the sword. Maximin repressed the barbarians, Probus drove them away beyond the Rhine and the Necker, and even built fortresses in their country. Constantius Chlorus defeated them before Langres, and lastly near Windanissa* (Windish in Switzerland), Julian was

* The villages on Lake Wallenstadt, called to this day *Ligans, tergen, quanten, quinte*, were Roman stations, which the troops abandoned when the country was inundated by an overpowering multitude they were unable to oppose; taking shelter

the last who rolled back the tide of war for a while, but it returned and overwhelmed all.

350.

Less than a century after the supposed time of the destruction of Helvetia, Ammianus Marcellinus speaks of the ruins of Aventicum*, situated in the Grecian or Pennine Alps, as the only thing remaining to attest its former splendour. The geography of Ptolemy, which contains additions made by other hands relating to later times, mentions the deserts of Helvetia. After Ammianus Marcellinus we have no further account of this desolate country†, the

400.

for a while among the higher mountains, where some ruins are found at this day, called by the shepherds Pagan huts. About thirty years ago, three bronze medals were discovered on the highest part of the Stockhorn, south-west of Thun, buried nine or ten feet under ground; they were of Adrian, Maximus Thrax, and Marcus Aurelius. A vase has likewise been found on the Gurnigal, containing fifty pieces of Roman coins of silver, and two of gold.

* See some account of the present state of these ruins in the first volume of this work.

† So late as the 15th century, so many ages after the period here alluded to, many parts of the country were still described in public documents as deserted or uninhabited, by the Latin word *desertum*, or the German *Uechtland*. The country about Bienne was denominated *Nugerol*, the black valley.

name even of Helvetia was forgotten! At last a mixed population of Vandals*, Burgundians, Allemani, Ostrogoths, Francs, and Lombards, spread about the country. Some sort of regular government was establishing among them, and a beginning of civilization, when Attila, and his five hundred thousand Huns, more dreadful than all the preceding invaders, burst upon Europe from the extremities of the earth. The men of those terrible times called him *the scourge of God*, the *destroyer of nations*. Little is known of his passage through Switzerland except a tradition still existing of universal destruction having attended it†.

About the end of the fifth century, that part of Switzerland which spoke the Roman language

* The Pays de Vaud has been supposed to derive its name from the Vandals.

† Attila converted the best provinces of the Roman empire into deserts. When Priscus accompanied the ambassadors sent to Attila, then in Thrace, there were no inhabitants left in most of the cities, or but a few miserable people, who had taken shelter among the ruins of churches. The fields were covered with the bones of those who had fallen by the sword. In 451 he had entered Gaul at the head of a multitude far greater than any former one, but Actius and his Burgundians defeated them in a sanguinary battle near Chalons. Attila returned the following year, and penetrating into Italy, ravaged it to an extent hitherto unknown.—*Robertson's Charles 5th.*

mixed with the Celtic, was occupied by the Burgundians; the northern part, where the Teutonic language was spoken, acknowledged the Allemani for its masters.

Rhetia, comprehending the Tyrol, part of Swabia, Appenzel, Glaris, and Uri, belonged to the Ostrogoths, who were likewise masters of the country of the Po. A learned historian (Robertson) thinks the period during which the condition of the human race was most calamitous, was undoubtedly that from the death of Theodosius the Great to the establishment of the Lombards in Italy, A. D. 395 to 571, a period of 176 years. Contemporary authors are at a loss to describe the scene of desolation, but no expression can convey so perfect an idea of the destructive progress of the barbarians, as the total change in the state of Europe, after it began to recover some degree of tranquillity towards the close of the sixth century. The Saxons were then masters of South Britain, the Franks of Gaul, the Huns of Pannonia, the Goths of Spain, the Goths and Lombards of Italy, and, as we have seen, the Burgundians, Allemanni, and Ostrogoths, of Switzerland. Very faint vestiges of Roman policy, jurisprudence, arts, and literature, remained; new forms of government, new laws, new manners, new languages, new

dresses, and new names of men and countries every where: Such changes imply an almost entire extermination of the ancient inhabitants; they would not otherwise have been possible: yet if this was the period of most calamity, that of greatest darkness and moral depravity arrived, as we shall see, considerably later.

Little more is known of the origin of the Burgundians, than that they were one of the many denominations and various lineages of northern invaders*, and among the first to imbibe the civilization of the vanquished. Their first settlement having begun by a sort of compromise with the ancient inhabitants, their laws embraced the interest of the two classes, whilst those of the Allemani, who invaded countries almost depopulated before, such as the eastern part of Helvetia, and which had become barbarous, were purely the legislation of conquerors, considering only them-

* The Burgundians appear to have been a Swedish race. Tacitus calls them *Burii*; and *Gund*, in the ancient Teutonic language, means a *man*, a *warrior*. Every Roman was obliged to abandon to the Burgundians two-thirds of his fields, one-third of his slaves, half his woods, garden, and court. It was a far more serious thing to be conquered in those times than now.

selves, their herds of buffaloes *, their chalets, their horses and mares † (the flesh of which was a dainty in those days), their tame stags, hounds, house, and shepherd dogs. The Burgundians it was who put a momentary stop to the sanguinary progress of Attila at Chalons, where contemporary historians affirm that three hundred thousand men perished. The leader of the Burgundians was among the slain. His four sons divided the inheritance: one had Geneva, another Besançon, a third Lyons, and a fourth Vienne (Dauphiné). Gondebaud, the possessor of Lyons, was the most powerful: he dispossessed his brothers of Vienne and Geneva, and put them to death, with all their children, two daughters of the latter excepted. One of these daughters, Clotilda ‡, having married

* Buffaloes were in use in the country as late as the twelfth century.

† The ancient German for mare is *maere*, from which Müller derives the title of marshal or marechal.

‡ The ancient gateway leading from *Bourg-de-Joan*, at Geneva, into the town, was the gateway of the castle, where Clotilda lived, and received secretly the pledge of union, a ring, a gold piece, and a penny, brought to her by Aurelian, the ambassador of Clovis. Gondebaud did not like the union, but durst not oppose it. Clotilda went away in state, seated in a car or chariot, drawn by four oxen. As soon as she reached the

Clovis, King of the Franks, employed her influence over him, and afterwards over his sons Childebert, Clotaire, and Theodebert, to engage them in a war against her uncle Gondebaud and his posterity. The latter maintained himself successfully against these powerful enemies, but his sons were at last dispossessed by the Franks in A. D. 534, and thus ended the kingdom of Burgundy, about one hundred years after its foundation. An account of the senseless quarrels of barbarians, slaughtering and slaughtered; of their inextinguishable thirst for revenge for crimes they were equally prone to commit themselves, and of their faithlessness and inhumanity, is neither interesting nor instructive, and we might have passed over the Burgundians without even this short notice, had it not been for their legislative proceedings, which afford some insight into the state of the human mind at that period.

frontiers of France, she entreated the vassals of her lord the king to set about ravaging the country she had just left; and soon after, seeing an extent of twenty-four leagues of country in flames, she blessed God that she had begun to revenge her father and two brothers decapitated, and her mother thrown into the Rhone! Very probably she thought this retributive justice. Nations were considered as the legitimate *souffre douleur* of their kings, and literally made *to be whipped in their room.*

The same Gondebaud, who had murdered half a score of brothers and nephews, had, however, made a code of laws by which equal justice was to be dealt, in future, to Romans and strangers, as well as to Burgundians. But his subjects rebelled against such an excess of liberality, and a diet, composed of thirty-six nobles, abolished the code, making another, however, in which were some useful enactments among some very extraordinary ones. A fine against any freeman who should refuse hospitality to a stranger, or whipping, if the offender was a serf; punishment of death against any slave guilty of cutting off the hair of a free woman; an article regulating the fees of a witch or sorcerer for the discovery of stolen goods; another imposing a most whimsical penalty upon any one stealing a dog, "Si quis canem veltraum aut segutium aut petrunculum præsumpserit involare, jubemus ut convinctus coram omni populo *posteriora ipsius osculetur;* aut quinque solidos illi cujus canem involaverit cogatur resolvere." Yet we find in Spon, or rather in a note of his learned editor, that Gondebaud "assembla les principaux de son état et plus habiles gens qu'il put trouver, et fit par leur conseil des loix qu'on a encore aujourd'hui et qui ont pour titre les lois des Bourgondiens." A general assembly of the bishops of

Burgundy enacted another code for the discipline of the clergy, binding them to the strict observance of morality, and especially chastity. It appears that most of the members of the church employed themselves in farming their own land, leading a simple and studious life; they fulfilled the duties of judges, and enforced the execution of the law, by subjecting refractory and powerful criminals to the *ban*, a sort of outlawry.

Whatever may have been the abuses and corruptions of the church in after times, there is no doubt that civil society was much indebted to the clergy at this period; and, as Muller very justly observes, we might as well judge of the ancient discipline of the Roman legions by what it was *then*, as of the purity of the church by what it became a few centuries after. Any power not of the sword, proved a blessing to humanity, when brutal violence ruled the world, and the cloister was the only existing counterpoise to the camp.

Gondebaud rebuilt Geneva, twice destroyed during the last wars of the Roman empire: two distinct pavements have been found at different depths, under the present level.

An enemy as destructive as Attila or any of the other merciless invaders, the small-pox, appeared for the first time, A. D. 570. It seems to have

been brought from Arabia into Abyssinia and Egypt, upon the return of an Abyssinian army from the conquest of the Ammonites, some time before this. The trade of Constantinople with India and Arabia, through Egypt, brought the malady into Greece, whence it was communicated to Lombardy, and travelled slowly into Burgundy. The terror of the people was extreme at the first appearance of a disease generally mortal, and so contagious that few escaped. The living fled, leaving the dead unburied; villages and towns remained without inhabitants, and flocks without a shepherd. The country seemed threatened with an entire depopulation: yet, as men accustom themselves to any situation, in time their fears subsided—probably the danger grew less—and after a while the business of life was resumed. Wars and treaties, and new appropriations of vacant lands, went on with alacrity, and the only difference was, that the observance of the Sabbath, as well as that of six days after Easter, were enforced by new penalties.

The posterity of Clovis had been in possession of the throne of Burgundy since the destruction of the house of Gondebaud: his grandson endeavoured to strengthen himself against the power of the patricians of Burgundy, a dignity not unlike

that of the *Maires du Palais*, by increasing that of the great body of the nobles; and their lands, heretofore held during the pleasure of the king, were secured to them and their families in perpetuity, creating thereby an aristocracy which acquired, some centuries later, a very popular form, by the introduction of the burgherships. An annual assembly, held the first of March, made laws to which all descriptions of persons were amenable—the slave, the freedman, and the citizen or ingenui*.

The condition of slaves was ameliorated, for they were allowed to dispose of three days in the week, paying certain dues to their masters, such as eggs, chickens, bread, and beer. Most crimes were punished by a fine, and death inflicted only when the criminal was unable to pay; a regulation barbarous in itself, but effectual as to the prevention of crimes, which is the main object of legislation.

The country was divided into *centuries*, in each of which a number of heads of families undertook to enforce the police of the district, and to secure

* The latter were also called *omnes crinosi*, or *Tricoracati* eo quod pilosi, &c. and Muller observes that *Tricca* meant still, in some provinces of France, a *queue* (hair tied into a cue) and figuratively a stick, used as a cow skin in England.

it against robberies and other infractions of the law, much as the celebrated hundreds of king Alfred*. In doubtful cases they had recourse to legal combat, or drew lots. The chance of obtaining substantial justice by such means, without being much worse than a reference to rude and absurd laws, was at least sooner determined, and at less expense, which is perhaps as important as the correctness of the decision. The solemnity of an oath was as much in use as among the Romans.

Notwithstanding some seeming progress towards civilization, manners remained most barbarous. Six of the Merovingian princes perished by poison or the steel, in the course of forty years. Muller compares the destiny of those descendants of Clovis to that of the descendants of Menos. The language and the poetry of antiquity were alone wanting, to secure to the former the fame of the Atrides.

An age of crimes is also an age of remorse and penitence. Gentlemen and warriors often ended their days in some lonely retreat of the mountains, and rich monasteries rose, in after times, on the humble foundation of many a hermit's cell. Thus

*A similar institution was introduced in Sicily about fifteen years ago, with great success.

Germanus of Treves became the founder of Meustier Grand Val, in that profound cleft of the Jura where the Birs flows. The convents of St. Ursicin, near the source of the Doux, and of Imer, in the valley of the Suze, and many others, had the same origin.

Inasmuch as some degree of concentration of property in the hands of gentlemen is favourable to industry and civilization, these institutions were undoubtedly useful. The monks were better informed, more regular and peaceable, than any other sort of gentlemen; they were better administrators, their revenues were almost exclusively spent upon the poor of the neighbourhood, either in the shape of wages or alms, and they proved the only effectual protectors of the peasantry against the lawless proceedings of the nobles.

CHAPTER IV.

Christianity introduced into Helvetia by Scotchmen—Invading Huns from the North defeated at Dissartes—The Arabs from the South vanquished by Charles Martel—Age of Darkness without an Historian—Pepin and Charlemagne—Government of the latter—Feudal Institutions—The Influence and Authority of the Clergy useful in those Ages—Marvellous Tales about Charlemagne.

It seems strange that Christianity should have first been carried to Switzerland by Scotch missionaries. At a very early period, the north of Ireland was inhabited by many distinguished Caledonians, who cultivated letters, and embraced Christianity. Columbare, one of them, repaired to the Hebrides, about the end of the sixth century, and founded a college at Iona, or Icolmkill*, where many valuable manuscripts have since been discovered, and where, there is some reason to believe, the great history of Sallust remained to the time of the ravages of the presbyterians (1526). Columbar, Gall, Magnoald or Magnus, called also St. Mang, with nine others†, went to

* Pennant says St. Columben left his native country, Ireland, A. D. 565, instigated by a pious zeal to convert the Picts.

† St. Bent, an Englishman, whose real name was Suetonus, is supposed to have preached Christianity to the Helvetians,

France and built a convent (Luxeuil) in the deserts of the Wasgau (Vôges), where they taught religion and agriculture. Being persecuted by Queen Bruneho, Dietbert, king of Austrasia, permitted them to preach Christianity in German Helvetia, where they got into quarrels with the pagan inhabitants about their idols, and departed in more anger than became the apostles of Christ. They succeeded as ill in some other places; but Gall being told by one of his disciples, a hunter, of a delicious valley watered by a river, where bears and boars repaired to quench their thirst, and which was surrounded by mountains covered with eternal snows, repaired to this wilderness, with some of his friends. They built themselves cells near the falls of the river Steinach, subsisting only by the labour of their own hands, teaching and civilizing the people attracted by the fame of their sanctity and good deeds. It rose at last so high, that the bishopric of Constance was offered to Gall, but he refused it, persisting in the same mode of life to the advanced age of ninety-six.

no less than three centuries before the Scotchmen: he himself had been converted at Rome, and came thence to Helvetia, where he lived and died at the celebrated hermitage on the north side of the lake of Thun, but the narrative appears rather fabulous.

690 700 The abbey of St. Gall was founded fifty or sixty years after his death, near the humble shed of the holy man, and the sciences were cultivated with great success in that seminary, which became one of the most celebrated schools in Europe, between the eighth and tenth centuries, when schools indeed were not numerous. The manuscript of Quintilian was preserved there, as well as that of Ammianus Marcellinus, although giving such a frightful description of the country. Among other literary curiosities described by Rutpert, was a map of the world, qualified *subtili opera*.

Two other illustrious Scots, Fridolen and Sigebert, retired to remote places on the Rhine, near Basle, and near St. Gothard: the convents of Seckingen and of Disentis rose afterwards on the spots sanctified by their residence. The valley of the Linth, then a desert, covered with pathless forests, was given to the monks of Seckingen, by two noble Rhetians, Urso and Landulph. Fridolen having consecrated a church to St. Hilarius, the name became, by corruption, Glarus or Glaris, but the new Christians of Helvetia had no clergy till after the establishment of the bishopric of Constance; and the division of the country into parishes did not take place before the twelfth century.

A new inroad of northern barbarians at this time threatened Switzerland and Italy, whilst the Arabs from the south penetrated through Spain into France. The new social structure raised over the ruins of the Roman institutions, and Christianity itself, appeared on the point of perishing—when a hero, Charles Martel, encountered the southern invaders, and defeated them; whilst the northern invaders, who seem to have been again the Huns, lost in the mazes of the Rhetian mountains and forests, and seeking a passage over the St. Gothard by the valley of the Rhine, fell, near the convent of Disentis, under the united efforts of the natives, better acquainted with the natural advantages of the ground. The waste and depopulation of former barbaric invasions, which the slow operation of centuries had not yet repaired*, saved

* Muratori shows that in the eighth century half Italy was a desert, overrun with forests and laid under water. Switzerland and all Europe were no doubt in the like state. In many of the early charters now extant, lands granted to monasteries or individuals are described as *eremi*, desolate—as having been taken from the desert, *ab eremo*, just as is now done in America. Muratori adds, that during the eighth and ninth centuries Italy was greatly infested by wolves and other wild beasts.

Helvetia for this time, but proved soon after a less effectual safeguard against the ravages of civil war, occasioned by the usurpation of the mayor of the palace. The contending parties had not enough of the open fields of France and Burgundy, but extended their bloody feuds to Rhetia; and the abbey of St. Gall in particular, with all its dependent villages and farms, was ravaged with fire and sword.

The gloom which overspread Europe after the fall of the Roman empire, had been growing gradually darker. It would seem as if the very progress made towards the re-establishment of some sort of public order and security had lulled to sleep all literary interest and curiosity. Monkish chroniclers, in the enjoyment of well-stocked cellars, forgot posterity. Their meagre records omit even the high dignitaries of the church. The name of the bishop of Lausanne does not once occur during the long period of two centuries, from 601 to 815; nor that of the bishop of Basle during four centuries; and very seldom that of the bishops of Sion. Many of the clergy, says Du Cange, did not understand, and could scarcely read, the breviary, which it was their duty to recite daily. Kings and great men affixed

the sign manual, *signum crucis manû propriâ pro ignorantione literarum;* whence the phrase *signing* instead of *subscribing* a paper*.

The period from Dagobert to Charlemagne, comprehending the seventh and eighth centuries, seems to have been one of complete obscurity. The superior genius of the latter prince in France, and that of Alfred in England, supported a while a sinking world. After them it fell still lower. Profligacy kept pace with ignorance, and deeds of cruelty, perfidy, and revenge, almost exceeding belief, are related by Gregory of Tours and other contemporary authors. The utmost point of debasement seems to have taken place towards the close of the eleventh century.

The race of Clovis, called Merovingians (sons of Meroveus), had reigned 268 years over France and 218 over Burgundy, including the greatest part of Switzerland; when Pepin, mayor of the palace, seized on a throne, vacated in fact 751.
by the extreme degeneracy of its occupiers.

The greatness of his son Charles 768.
(Charlemagne) gave to this new race

* As late as the fourteenth century, Du Guesclin, constable of France, and the hero of his age, could neither read nor write. In the ninth, the supreme judge of the empire could not subscribe his name.

of Pepin the appellation of Carlovingians. The rare qualities of Charlemagne, his genius and wisdom, his vigour and moderation, some successful crimes, and a course of public, if not of private virtues, exerted during a reign of nearly half a century, secured to him the dominion of the best part of Europe—from the Elbe to the Tiber, from the ocean to the frontiers of the Eastern empire; but none of his great qualities passed to
814. his descendants, and their degeneracy was still more rapid than that of the preceding dynasty. The inheritance of Charlemagne was dismembered, and part of the old kingdom of Burgundy comprehended between the Jura and the Great St. Bernard passed to a new line of sovereigns (the dukes of Burgundy) in the person of Rodolph of Strattlingen. His elevation was disputed by the Emperor of Germany,
888. Ernoul, of Carlovingian descent, and a long war was the consequence. Rodolph maintained the contest for eleven years, hiding from castle to castle, and from mountain to mountain, cutting off the detachments of his powerful enemy, and making him pay in detail for his superiority in the open field: his subjects being always faithful during the whole course of his adverse fortune. He governed them afterwards for twelve years

with great justice and wisdom; "*aimé des siens*," as the chroniclers inform us, "*et respecté des étrangers.*" Charlemagne was not by any means an absolute prince: his government appears to have been checked by numerous popular forms, and controlled at every step, first by a very numerous aristocracy, composed of the nobility and clergy, and those in their turn by the obligation of consulting their vassals; for neither the emperor nor his barons had standing armies, and they therefore could not altogether disregard the good-will of their followers. This imperial government had no finances, no revenue scarcely but the proceeds of domains: he who gave laws to the European world, regulated himself the price of the eggs of his barn-yard, and wore household cloth, made of the yarn his queen had spun. Some of the land the vanquished were allowed to hold was liable to a yearly tax, and themselves to a poll-tax, *de capite;* but this could neither be very considerable, nor collected over any great extent of country. The sources of revenue must have been very trifling, when we see the money collected at church doors and the toll of bridges enumerated amongst them. Now and then the feudal chiefs made a free gift to their liege, but it was only on great occasions,

and depended on their good-will. Laws and ordinances agreed to in the emperor's council were carried by his chancellor to the archbishops and comites for their consideration; by them to the abbots and bishops, to the *centumgraves* (judges of dixains) and towns. Next they were read to the people (that is, all who possessed land to the extent of seven feet before them and seven feet behind); and were not ultimately ratified by the sovereign until they had been thus approved by his subjects.—"*Lex consensu populi fit, et constitutione regis.*" It is very difficult to understand how so cumbrous a machine could work, and each disjointed part concur to the common end; but the empire of Charlemagne was in fact a federation of many different states, each having its local administration, but paying allegiance to one common chief. The *centumgraves* were judges, from whom an appeal lay to the provincial assize, a supreme court composed of twelve *echevins* or notables, elected by the people, and presided over by a comte—the advocates of the abbots generally attending. Causes between vassals and their lords were decided before this very popular tribunal. A commissary of the emperor came once a year to each department, to hear complaints either from the magistrate or the

people. The church recommended celibacy to the clergy, but did not make it obligatory. We find that Paschal, bishop of Coire, was married to the countess *Æsopeia*.

Although the feudal relations * were originally

* The singular institution, now known by the name of the feudal system, although the barbarous nations which formed it came from different countries, spoke different languages, and were of course under different leaders, bore nevertheless every where a character of singular uniformity, which serves to show the similarity of the circumstances under which they all took possession of their new domains. Every freeman, meaning every soldier, among them, upon receiving a portion of the land, bound himself to appear in arms against the enemies of the country. The king or general continuing still to be the head of the colony, had of course the largest share, and by parcelling it out gained new adherents, bound to follow his standard when at war. His chief officers imitated his example, and a feudal kingdom was in fact a vast camp. The powerful vassals of the crown soon extorted a confirmation for life of those grants of land (*beneficia*), which being at first purely gratuitous, had been made only during pleasure. Not satisfied with this, they prevailed to have them converted into hereditary possessions: one more step completed the usurpation, by rendering this possession unalienable. The cultivators of the soil were divided into three classes: 1st, *Servi*, or slaves, being the most numerous—captives taken in war, or persons, the property in whom was acquired in some of the ways enumerated by Du Cange. As late as the twelfth century, their masters had complete power over them, and could atone for

the result of conquest, we find a disposition manifested at this time, on the part of free men (*liberi homines*) and allodial proprietors, to place their persons and property, as vassals (*vassus* or *vassallus*), under the protection of some powerful lord or abbot—the latter in preference—which was done by conveying away their land, and receiving it back again as a fief: thus converting, by a voluntary deed, their absolute into feudal or dependent property, and consenting to render homage and perform service to a power able to protect them, as has been explained by Montesquieu. The bishops, nominated by the clergy and people, without the interference of the government, were naturally considered as the fittest

taking away their lives by a slight fine. They could not marry, and their union was designated by the word *contubernium*, not *nuptiæ* or *matrimonium*. All the profits of their labour belonged to their master; their persons were conveyed by sale, with the farm or estate to which they belonged, *adscripti glebæ*.

2nd. *Villani*. They were also *adscripti glebæ*, yet differed from absolute slaves in this, that they paid a fixed rent for the land they cultivated, and could dispose of the surplus.

3rd. *Arimanni* or *tributales*, &c. &c. who possessed some small allodial property besides holding some farm, for which they paid a fixed rent, and bound themselves to perform certain services. Robertson, from whose History of Charles V. the above details are taken, quotes Muratori and Du Cange.

guardians of the laws, and likely to afford the best protection against any abuse of power. We find in the Capitulary of *Charles le Chauve*, grandson to Charlemagne, the following passage: "A qua sublimitate dejici nullo debueram sine audientiâ et judicio episcoporum, quorum castigatoriis judiciis me subire sum paratus." There is no need of having recourse to the influence of superstition on the part of the people, or to artifice and ambition on the part of churchmen, to explain their great power at this period. It was the natural ascendancy of superior information, and the preference given to learning over brutal force in every thing which related to law and government. There were cases of peasants owing *census* to a monastery, and obedience to a comte; which implied the obligation of working for the former, and fighting for the latter—attending his courts, and collecting his fines. It was not uncommon then for the comte to take away the peasant designedly at the very time he was wanted by the monks. Under Charlemagne, in all such cases of conflicting duties, those to convents were held to go before military attendance on the comtes: priests and monks being at the same time forbidden any sort of warfare, or to shed human blood in feudal quarrels.

CHAPTER V.

The Invasions of Turks or Hungarians—Queen Bertha—End of the World—Monasteries founded—House of Hapsburgh—Ida of Lorraine—Learning of the Monks described—Their Husbandry—Mode of Living.

A. D. 921. About this time a new race of barbarians, called Hungarians or Turks (strangers), extended their ravages over a great part of the kingdom of Burgundy and Lombardy. Driven from the north of Asia, about thirty years before, by other barbarians, they had since penetrated by the Black Sea, the frontiers of Russia and the Danube, into Moravia and Bavaria, and laid Germany under contribution. In consequence of a senseless quarrel between the sovereigns of Burgundy and Lombardy, they had been invited over the Alps, as mercenary auxiliaries; but instead of leaving the country after the termination of the dispute, they occupied it on their own account, not as conquerors and rulers, but as lawless freebooters, till by their very excesses they were at last exterminated.

954. Thirty years after, some other bands, apparently of the same race, and called

by Luitprand and Froduard * Saracens, Arabs, or Hungarians, indifferently, invaded the country again, and committed dreadful ravages. The mother of the king, the excellent queen Bertha, whose distaff remains proverbial at this day (*du temps que Berthe filoit*), was obliged to take shelter in a solitary tower, where Neufchatel now stands. The Tour de Gourge on the neighbouring hill of Cully, and other strong holds in various parts of the country bearing the name of Castles of Queen Bertha, were built on the occasion of the predatory incursions of the Saracens. The latter occupied during more than fifty years, that is, from A. D. 929 to 973, all the passes into Italy over the Alps, where they built strong castles. Travellers, although in caravans, were often robbed and murdered, or carried into slavery and sold; but at last a regular rate of contribution was established. Many names in the country, such as *Maurmont*, *Mauro-forté*, and the *Mur des Sarrasins*, near Avenches, still bear testimony to these eastern visitors. Their intestine divisions at length affording an advantageous opportunity for attacking them, they met with the same fate as their predecessors.

* They gave the name of Pagans and Saracens to all infidels.

A. D. 1000. Some years after this, an idea suggested by the literal interpretation of a passage in the Scriptures*, that the end of the world was at hand, took possession of men's minds, and occasioned the erection of many monasteries, of that of Payerne in particular, raised by Queen Bertha, from the neighbouring ruins of Aventicum, and richly endowed with lands and vassals. At the consecration of this monastery it was, that the following anathema was pronounced against all unholy disturbers of the peace of her monks by the royal foundress, "Qu'ils soyent rayés du livre de vie, que leurs corps des cette vie, ressentent un avant goût des peines de l'Enfer, comme Heliodore, qui fut fouetté par les anges," &c. She little expected that the citizens of an insignificant town, not in existence for two centuries after, should finally drive away these monks with impunity, and transform their abode into a granary, leaving the bells still suspended, as if on purpose to mark the profanation. None of the monks of the Burgundian or Romand part of Switzerland ever distinguished themselves by their learning; and Berenger de Tours called that country the modern Bœotia. It was at this time a vast forest, in-

* Revelations, chap. xx. ver. 2—5.

habited only within the immediate range of those castles and monasteries, which were thinly scattered over its surface; but the German part of Switzerland was less desolate. Some of the powerful families who afterwards acted such a conspicuous part in the wars of the fourteenth century began at this time to appear in history. The names of Thibourg, Rapperschwyl, Lentzbourg, Hallwyl, Bonstetten, frequently occur. Another noble house, then in low circumstances, and not particularly distinguished from the others, was destined to give laws for a while on the Po, the Danube, and the Tagus, and to conquer half the new world. This was the house of the Gontrans of Alsace, whose genealogy has been traced by Father Herrgott as far back as the seventh century. Having been deprived of their fiefs, in consequence of an unsuccessful enterprise against the Emperor Otho, they had only preserved a patrimonial estate near the junction of the Aar and Reuss, and there subsisted penuriously and ingloriously by exactions upon their miserable dependents, whose loud and reiterated complaints have been recorded in history. In process of time they built the castle of Hapsbourg, and took its name. One strong tower still exists, standing on a gentle eminence, close to the Roman camp and city of

Windonissa, and about ten miles north-east of Aarau. From a window you may see the whole extent of the domain possessed in the tenth century by these ancestors of the House of Austria. Grieved at the reports, which had reached her, of the many acts of cruelty and injustice perpetrated by her husband's family, Ida of Lorraine, niece of Hugh Capet, and wife of one of these counts, founded and endowed *the monastery of Muri*, that holy monks might pray for the peace of their souls, attend to the future welfare of the unfortunate inhabitants, and cultivate letters; for, as the *Acta Murensia* express it, "quia vita omnium spiritualium hominum sine litteris mors est." The community in fact rose to great eminency for its learning, and had a school, where the sons of gentlemen read the best authors of antiquity, studied harmony and versification, and practised calligraphy, an important art before the invention of printing. Some of the monks could repeat all Virgil by heart, and there was so much antique spirit among them, that they were fond of calling their cloister the republic, and their assemblies the senate.

A certain boldness of inquiry began to prevail, respecting the comparative merits of the different books of scripture; and Bishop Solomon of Con-

stance, the admirable Crichton, or Pic de la Mirandola, of those days, generous as a prince, wonderfully learned, convivial, and handsome withal, reading the Fathers of the Church, pronounced on their respective merits, much in the way that has since been done. At a period somewhat later, a poetical monk drew from Aristotle's account of India the subject of a novel, probably the first written in modern times, called *The Adventures of Duke Ernest of Suabia.* Muller does not tell us whether or not this inspired monk was Scotch. From the circumstance of Aristotle being such a favourite among those early literati, he hazards the conjecture that possibly that most valuable of the lost treasures of antiquity, the political history of Aristotle in 150 books, known to have been extant in the third century, may at this moment be lying hidden in the dust of some forsaken Swiss convent. Nor were the great ladies of the age exempt from the classical enthusiasm—Hedwige, Duchess of Swabia, who, from her castle on the rock of Hohentwiel, governed a vast province with sovereign authority, took the tenderest interest in Eckard, the most distinguished professor of St. Gall; a scholar, whose manners were gentle, whose voice was harmonious, and whose eyes were the most expressive in the world. The

duchess received him familiarly at her castle, and it is on record, that she used to be closeted with him, for whole days, reading the ancients. *By the days of Hedwige*, was for very long after her death the most sacred oath among the subjects of this good-hearted duchess.

To these more refined accomplishments the monks of Muri joined great activity and skill in agriculture, which they extended over the untenanted wilderness, attracting cultivators by the gift of a plough, a waggon, four oxen, a sow, a cock and two hens, a scythe, an axe, and seeds of various sorts. The tenants were bound to pay a certain rent in kind, to plough five acres twice a year for the abbey, and work besides a certain number of days. These terms were kept faithfully on both sides; and the peasantry, safe under a permanent and regular system, and protected against all external molestation, prospered extremely, and grew in wealth and numbers. Their cows were sent to the mountains in summer, under the care of master-shepherds, one for every twelve proprietors, who was accountable for a certain weight of cheese at the end of the season, an arrangement much resembling what is done at present. An officer (*prevot*) inspected the chalets once a year, and St. Andrew's was the day when

the tenants repaired to the convent with their yearly rent, in cheese, cattle, nuts, fruit, (no wheat) leather, cloth, linen, hats (*filtri*), and other articles of home manufacture. The *Acta Murensia*, already quoted, have among the tenantry of Muri preserved the name of a notable lady, *præpotens mulier*, whose bull, boar, and ram, alone of their kind, enjoyed, by common consent, free access to all the fields and gardens of the neighbourhood, and whose stables had the same right of asylum as churches. We are not told how she deserved all this. The mode of living was not, however, so patriarchal as might be supposed; and Ekebard, a contemporary writer, tells us, that the table of Bishop Solomon already mentioned, was covered with rich carpets and vases; and that at the entertainments of the great (he does not clearly say at episcopal entertainments) dances of a suspicious nature were exhibited—*Saltunt satyrici, psallunt. symphoniaci.* Cookery, indeed, was not very refined, being little else than great quantities of meat of all kinds boiled promiscuously in huge kettles. Some bread, a great deal of cheese and beer, and a little wine, formed the ground work of a fine dinner. Switzerland had at this time but few corn-fields, and still fewer vineyards, and the produce of either was esteemed a great luxury;

the cellars of the rich abbey of St. Gall, Scotch as it was, contained only two pipes of wine—Ulric, Bishop of Ausburgh, having presented them with a third, it was unluckily overturned, on its way to the abbey, into a deep pit, from whence it seemed impossible to extricate it. In this melancholy juncture the monks had recourse to processions round the fatal hole, exhaling their regrets with loud Kyrie eleison, but the cask being at last brought up safe, they were still louder with the *Te Deum*. Another, and a still more magnificent present, stands on the records of the abbey. It came from another Bishop of Augsburgh, and consisted of a very large bell, an onyx cut into a cup, carpets of feathers (*opera plumata*), robes of cloth of gold, and of white worsted; ivory combs with brass chains (*in pyrali pectines*), tables covered with oil-cloth (*operculis glizinis*), stuffs painted over in scarlet (*facitergula cocco imaginata*), and several other extremely fine things, obtained by the ancestors of the bishop (the Counts of Ribourg) in their pilgrimages and embassies into distant lands. The ladies of noble houses took a pride in such things, which were brought out on great occasions, such as births, marriages, the arming or the funeral of a knight.

CHAPTER VI.

The Treuga Dei—Burgundy, and the whole of Helvetia, fall under the Protection of the Emperor—Noble Families ruined—New Monasteries and Abbeys founded in the Deserts of Helvetia—Glaris—Rise of Towns—Henry I. fortifies them, and institutes the middle Class of Burghers—Arnold of Brescia—Degeneracy of the Clergy—Curious Clause in the Agreement between the Bishops and the Count de Genevois.

THE last king of Burgundy died in 1032. Such had been the anarchy of his reign and the violence of private wars among the nobles, that an assembly of the clergy of Burgundy, convened at Romont, in the Pays de Vaud, and presided by Hugh, Bishop of Lausanne, imposed upon them by divine authority what was called the *Treuga Dei*, limiting at least the extent of the calamity. They denounced excommunication on whoever took up arms, or committed hostilities during a term of thirty-four days in December and January; during another of sixty-three days preceding and seven following Easter; and between sunset on Wednesdays, and one o'clock after sunrise on Mondays throughout the year; thus reducing the number of days for warfare to ninety-five*.

* The custom of private warfare, the regulations of which made a part of the system of jurisprudence, had been esta-

The sovereignty of the countries forming the kingdom of Burgundy fell at last to the Emperor, who already possessed the German part of Switzerland and Rhœtia. The whole therefore of Switzerland, as it is now, was united under one government, or rather under the protection of the same feudal lord. Nearly half a century after, the German Emperor, Henry IV., not unlike in many

blished by an express law of Charlemagne; but his feeble successors could only apply palliatives to the enormous abuse. Forty days were to elapse before the person injured could attack the vassals of his adversary, and such wars were to cease altogether whilst the king himself was engaged in foreign hostilities. The church co-operated to extirpate the practice. Men were required in the name of God to sheath their swords, and the heaviest anathemas were denounced against such as should disturb the peace of society. Yet the absolute prohibition was to be softened into a compromise, and temporary suspension of hostilities on certain days, and could only be submitted to at certain seasons. Even as late as the fourteenth century, we find the nobles in France contending for the ancient right of private wars. Dignified ecclesiastics equally claimed the privilege, and *advocatii* or *vidames* were appointed to prosecute their quarrels in person. Whilst the church prohibited marriages within the seventh degree of affinity, the right of private vengeance extended to the same limit, and involved all persons within it in the common calamity; when the prohibition respecting marriages was contracted to the fourth degree, the obligation to private war was contracted with it.—*Du Cange.*

respects to his revered namesake in France, falling under the displeasure of the Pope, was excommunicated; and the consequence was, the kindling of a foreign as well as a civil war in his and the neighbouring states. Yet an excommunication did not always prove fatal; for we find an illustrious abbot of St. Gall, and patriarch of Aquila, governing his monks and vassals quietly during forty-six years, notwithstanding the thunders of the church.

The political troubles of this period added many new monasteries and abbeys to those already mentioned; Muller enumerates more than twenty, between the years 1060 and 1140, founded in the midst of deserts* heretofore without culture. They were generally filled with individuals of the noblest families ruined by the wars, or seeking a safe and honourable asylum; and we see a son of an English king, and brother-in-law of the Emperor Otho the Great, taking orders at Einsidlen. Several of the Emperors of Germany endowed these establishments with immense tracts of vacant lands without even a name, but soon rendered productive by a growing population. The

* The convent of Engelberg, in the Surren Alps, is situated in so deep a valley, that it does not see the sun for more than six weeks in the year.

serfs of abbeys were allowed to marry, and inherit and dispose of their property by will or otherwise; while those of the nobles enjoyed no such advantages, but were so harshly treated as to occasion an insurrection, which was the first instance in Switzerland of resistance to oppression.

The Comtes de Gruyeres, at this period, distinguished themselves among the nobles by a better application of their wealth and power, directed to the improvement of the country, forming new establishments for younger branches of the family by cultivating the remote valley, where Tour d'Aex (Castrum in ago) stands at this day.

The chronicle of Ischudi furnishes scattered passages, implying, that the inhabitants of the valley of Glaris met and discussed public affairs, made laws in common, and elected a landamman and other magistrates, much as they do now, while the mayor, who held his authority from the abbey of St. Fridolin, named judges from among the most distinguished families.

The dignity of mayor was at that time hereditary in the historian's family, and remained so for three hundred years; the name of Ischudi recurs at intervals in the annals of his country, during the long period of nine centuries, having

been borne by many illustrious warriors, and seventeen landammans, besides the earliest and best of Swiss historians. Its meaning in several northern languages is *stranger*, and the first Ischudi was probably a soldier of the northern hordes of barbarians.

A great diversity of political institutions prevailed among the people of the different valleys, insulated between their natural ramparts, but most of them acknowledged some feudal chief, who was himself bound to the emperor. The Dukes of Zoeringen had power over these lords, whether spiritual or temporal, as hereditary governors for the emperor.

Notwithstanding their feudal dependence, the burghers of most of the towns chose their own magistrates, as did the monks their own abbots, and the canons their own provosts. The sovereignty of the emperors was rarely burthensome, affording protection rather than imposing subjection; and it was deemed honourable, as well as advantageous, to hold directly of the empire without any intermediate power. Muller affirms, apparently on good grounds, that it was not uncommon for the substitutes of counts and dukes, sitting as judges, to take the opinion of the people

present at their assizes; a proceeding coming very near to the institution of a jury.

Among the multitude of towns starting up into existence, in all parts of the country, or acquiring new power and consequence, Geneva and Lausanne, both very ancient, were the most conspicuous in Roman Helvetia; Basle, Zurich, Schaffhausen, and Lucerne, in the German part. The principal cause of the growth of these towns was the protection afforded by their walls and their numerous inhabitants.

The emperor, Henry I., fortified and gave many of them charters of community, by which the inhabitants were enfranchised, and servitude was abolished; he ordered, that one-ninth of the peasants, able to bear arms, should repair to the towns in case of attack, and that one-third of the crops should always be sent there for safe keeping. These corporations, emphatically called *Libertates*, governed themselves by a council and magistrates of their own nomination, levying taxes, embodying and training their militia, which took the field when ordered by their lord paramount. Some of the great barons imitated the emperor, and sold immunities to the towns within their respective territories; but most of them were averse to the

practice. Guilbert, Abbot of Nugent, called it an execrable invention, by which, contrary to law and justice, slaves withdrew themselves from the obedience due to their masters; and it appears that Bertrand du Guesclin looked upon it as a pernicious innovation. The same motives which induced freemen to become vassals of great barons in former times, led them afterwards to seek the more convenient and effectual protection afforded by towns, thus diminishing the importance of the nobles.

Under the feudal system no new laws could be binding, or taxes imposed, but by the consent of the freemen, called together by the barons, who themselves met the emperor for the same purpose, in company with the dignified ecclesiastics; but as soon as towns were enfranchised, they acquired a legal name and political existence, which entitled them to admission by deputy into these imperial assemblies. They became *immediate;* meaning, in the German jurisprudence, that they were subject to the emperor alone.

Zurich and Basle derived peculiar advantages from their situation. The former was on the track to Italy, by the Lake of Wallenstadt, and the passes of the St. Gothard and of the Septimer, and was filled with traders, inn-keepers, and cus-

tom-house men. A special tribunal, called the court of the Lombards, decided all differences in which foreigners were concerned. This town was adorned with a *corso* for chivalrous exercises; an imperial palace, another for the bishop: and Hüttinger denominates the city *imperatorum seu regum olim colonia.* The situation of Basle, at the head of navigable waters, was still more favourable, and it grew in consequence to great size and wealth. The division of labour naturally introduced into great towns, led to the establishment of different companies, or corporations of tradesmen imitated elsewhere. The sovereign council was composed first of twelve and afterwards of twenty-four notable citizens, presided over by the bishop, and selected in a great degree under his influence, yet the aristocracy was not unpopular. Basle entered into a confederacy of ten years with several towns upon the Rhine, for common defence against feudal encroachments, highway robberies, and illegal tolls.

Zurich was of some consequence in the year 800, for Charlemagne visited it, and the house he occupied is still shown; but Berne and
1191. Fribourg are undoubtedly of later date, having both been founded at a few years
1179. interval, by the Duke of Zeringen, in

the 12th century*. They were not indebted to commercial advantages for their rapid increase, but solely to a defensible situation, fit to shelter the freemen and gentlemen of the country against the insults and tyrannical violence of two or three powerful nobles, who opposed by all the means in their power the building of the walls, carried on by these warlike citizens with arms in their hands. The style of the Duke of Zeringen's letters to the towns was, *greeting and victory over the enemy.*

Geneva, involved in endless disputes between the bishops and counts, and oppressed by them alternately, does not seem at this period to have enjoyed any great degree of prosperity or consequence.

The independent spirit of the commercial towns of Lombardy had communicated itself to Zurich, and Basle, commercial likewise, and was spreading through the towns along the Rhine; but a still bolder and higher impulse was given to men's

* There was already some beginning of a town round the chateau of Nydeck, on the site of Berne, before the Duke of Zeringen, who fortified and extended it, but can scarcely be called its founder.

minds by an élève of Abelard, named Arnold of Brescia, who sought shelter among the Alps from war and tyranny, from the Guelphs and Ghibelines. The spirituality of religion was his theme, and he preached against the corruption of the clergy, leading himself a life of rigorous abstinence. The people, already impressed with the abuses of the church, seized eagerly on these topics. Monasteries, heretofore the objects of public veneration and gratitude, were now no longer so to the same extent, owing to the relaxation of their discipline, and the immorality of the clergy, both regular and secular *; and one convent, near Zurich, had already become a sacrifice to the resentment of the peasants. The power of the church was on the decline, as that of the nobles had been before, from an imprudent abandonment of those principles upon which that power was originally founded, and the reformation of the sixteenth century was on the point of beginning in the twelfth. The power of the towns, on the contrary,

* Some of the bishops, imitating the worldly pomp of the nobles, went to church on horseback, their falcons on the fist, and made the curate give oats to their steed, and an egg to their bird.

was rapidly increasing; but the burghers, so ready to assert their own freedom, maintained without scruples the state of dependence of the peasantry, who were mere serfs, and excited discontents among them by levying arbitrary taxes.

Arnold ventured to go to Rome, and to preach there against papal power. The moment indeed seemed propitious; for the modern Romans in a fit of national vanity, had just attempted to restore the republic, and *in capitolium senatum erexit.*

It was, as Muller justly observes, the very recollection of the former greatness of Rome which stood in the way of its present independence, by misleading the Romans into impracticable schemes. Arnold staid too long at Rome, and being seized there, was sentenced to be burnt alive, and actually suffered at the stake.

The ferment between townsmen and noblemen, and between lords spiritual and temporal, all over feudal Europe, was at the highest when the news of the conquest of Jerusalem and the Holy Sepulchre by the Turks frightened Christendom for a while out of these worldly disputes. At Geneva a hasty compromise took place between the bishops and the Comte de Genevois. The latter swore on the consecrated wafer to keep the peace, and some of his friends swore on relics; but it was

stipulated, as a further security, that thirty of his vavasseurs, selected among the most notable, should be flogged twice a year in case of failure on the part of their lord, and during all the time such failure should continue.

CHAPTER VII.

Rise of the Waldstetten—Constitution of Berne—Anecdote of the heroic Count Peter of Savoy—He obtains a grant of Fiefs in Switzerland from Richard, Earl of Cornwall, Emperor for a while—The Swiss resist a papal Interdict and their own Clergy—The three Waldstetten receive a Diploma from the Emperor in Testimony of their Valour.

THERE is a secret recess of the Alps, unknown perhaps to the Romans, which the sword of Attila never reached, where no feudal chief ever built his tower, or claimed allegiance from the simple shepherd race who tend their flocks in these pathless and almost inaccessible regions.

The clustering mountains inclose a lake of unrivalled beauty, known by the name of the Lake of Waldstetten, or of Lucerne, together with several fertile valleys, and a rich plain on the south side of the water. The people of the Waldstetten were so little known in the eleventh century, that when the Emperor Henry II. granted to the abbey of Einsidlen * the lands of its neighbourhood, the inhabitants were as much overlooked as the sa-

* The hermit Meinrad in the ninth century first inhabited the deserts of the valley of Einsidlen, which his religious followers colonised.

vages of America by European sovereigns, who made grants of land to the first adventurers. It was many years before the flocks of the monks and those of the natives ever met on the same Alps; but quarrels having at length arisen, as in the days of the patriarchs, when the herdsmen of the desert dug wells in Geraar, the affair was carried before the court of Henry V., where the cause of the Waldstetten was lost, upon the strength of the imperial grant. Conscious, however, of a right anterior to the existence of either abbots or emperors, these simple people set the whole world, and even excommunication at defiance, and continued to occupy their pastures without further molestation. The succeeding emperor thought fit to court their friendship, and obtained their permission to raise a corps of 600 men amongst them. They had a tradition perpetuated in old songs of their ancestors having come from a northern country called *Suecia*, or *Sweden* *, and sometimes *West-frise*, which was the country of the Cimbrii. The name of three of the chiefs, who led the emigration, is even preserved in the song. Great size and fairness of complexion seemed to countenance

* The old chronicles apply the name of Suecia indifferently to the kingdom of Sweden and the canton of Schweitz.

the tradition of a Scandinavian origin; and Gustavus Adolphus, in an embassy to the little republic of Schwitz, subsequently availed himself of it, as a claim upon their friendship.

About the beginning of the twelfth century, the Waldstetten, forming three small republics, had, as their permanent representative at the imperial court, Ulric of Lentzburg, who was called their patron, advocate, or protector (Schirmvogt). Some years after his death, Rodolph of Hapsbourgh being appointed to succeed him, assumed in a charter the title of hereditary patron; and it was his son, called also Rodolph, (born A. D. 1218), who ascended the imperial throne, and founded the Austrian dynasty*.

It is not known when Christianity penetrated into the Waldstetten; but previous to the twelfth century there were very few churches or chapels, and those only resorted to ten or twelve times in the course of the year. Tradition relates that

* Although the family of Hapsbourgh might have assumed the title of hereditary patrons of the Waldstetten, yet this second Rodolph was in fact elected by them, A. D. 1257, when 39 years of age. His hereditary title, therefore, could not have been deemed sufficient. His functions were to be their representative at the imperial court, their defender in peace and war, their umpire in disputes; and for these services he received an annual stipend.

Underwald and Schweitz had but one clergyman between them. The churches had no bells; the parishioners were summoned by the sound of the wooden horn of the Alps. A wooden cup was on the altar, and the sacerdotal ornaments were of painted cloth.

The infancy of Berne was not characterised by any of that commercial industry which insured the prosperity of other towns, nor indeed with any of that spirit of aggrandisement and domination, which gave it in the sequel such a decided preponderance in the Helvetic league, as will be seen hereafter. Its constitution, and that of the other Helvetic communities, differed little originally from that of most imperial towns. Legislation in these times was certainly not distinguished for its gentleness, justice, or rationality; at Fribourg, for instance, the punishment for stealing five sous was death by decapitation; but as a fine of sixty sous was imposed on whoever left the tavern without discharging his reckoning, one or the other of these penalties must appear out of all proportion with the crime: and again, a stranger striking a burgher was fastened to a post and scalped, (the skin of the head taken off), while a burgher striking a stranger paid three sous! If a burgher was assassinated, all the others had a right to

bring the supposed murderer to trial by judicial combat, *assumere duellum*; and the chronicle of 1288 adds a singular circumstance, *Duellum fuit in Berne inter virum et mulierem, sed mulier prevaluit.*

A young hero gave at this time new lustre to a noble house. Count Peter I. of Savoy, born with those chivalrous qualities which command the respect of mankind, received from his contemporaries the appellation of Little Charlemagne. A traditional and characteristic occurrence respecting him was long preserved at Berne, and is recorded in a chronicle of 1420. Soon after the foundation of the town, when its territory scarcely extended beyond the walls, and was bounded on three sides by the great bend of the Aar, the inhabitants having bought some land on the other side of the river, were about constructing a bridge, when the Count of Thibourg forbad the proceeding. In this emergency the burghers thought of applying to the young hero for protection upon certain terms, and sent two of their men across the mountains of Oberland, to the castle of Chillon*, where he was: he undertook their cause readily, and came among them. His sister being

* The same which has been celebrated in our days by Lord Byron.

married to the brother of the Count Thibourg, he had an opportunity of negotiating the business without coming to hostilities, and succeeded in adjusting it to the entire satisfaction of the Bernese. Nor were his good offices limited to this friendly interposition; for he even assisted personally in building this bridge. Captivated by his conduct, 500 of the finest young men of Berne followed him on some of those private military expeditions so common at that turbulent period, and insured his success by their bravery. "What shall I do for you?" said Count Peter; "only ask." "Return our charter," answered the Bernese; "be henceforth the friend of the Bernese, not their lord." He instantly granted their request, and the alliance was held sacred until his death.

The inhabitants of Mœrils in the Valais likewise implored his assistance against Mangepan, a tyrannical lord, whose castle he took, as well as several others in the Valais. Opposed by the Bishop of Sion, and some of the nobles, he yet overcame all obstacles, and rode triumphant from one end of the valley of the Rhone to the other, and he was surnamed the Holy Captain. In the early part of his life he had spent some years in England, where he was in high favour. Henry III., who had married his niece, created him Earl of

Richmond, Lord Essex and Dover. He afterwards obtained from Richard of Cornwall, Emperor of Germany, (although a prisoner in his own country), the grant of all the lands, once held under the empire by the extinguished family of Thibourg, in the Pays-de-Vaud, which being united to the other feudal possessions of the house of Savoy, formed nearly the whole of that part of Switzerland where the Romand language is spoken. The nobles, jealous of his superiority, assembled in arms before Chillon, when, anticipating their purpose, he fell upon them unexpectedly with some English troops, which he had brought with him, and totally defeated them. The counts of Gruyere, of Nidau, and of Arberg did homage to him, and the whole Pays-de-Vaud became from that time a province of the house of Savoy.

When Count Peter was called away to his old dominions, the Pays-de-Vaud was governed in his absence by his lieutenant, or bailiff; and much seeming importance has been attached, in the late revolutionary times, to certain states-general, said to have been held regularly, according to an express charter; but the charter is nowhere to be found, and there are no proofs of the states having been held more than two or three times.

1248. The Swiss of that period were determined to maintain their liberty, religious as well as civil; and the clergy of Zurich having shown a disposition to obey the interdict of divine rites pronounced against those who should side with the Ghibelines, the magistrates gave them the choice of leaving the country, or continuing the service of their churches: nor was any compromise allowed, when most of them chose voluntary exile. One of these priests meeting afterwards the excommunicated emperor, at the gate of a town of Swabia, cursed him aloud. "This man," observed Frederic calmly, "would fain suffer martyrdom for the pope; but I shall not indulge him." A body of Swiss fought so valiantly in Italy in the cause of this excommunicated emperor, that Struth of Winkelried, their commander, was knighted, and the three Waldstetten received a diploma, in which that prince declared that they were freemen, and had placed themselves under the protection of the empire by their own choice.

CHAPTER VIII.

Rodolph of Hapsbourgh protects the Townsmen against the Nobility—An Account of him and his Reign—Traits of his Wars, showing the Tactics and Manners of the Times—The Jews—Rodolph besieges Berne—His Son likewise—Bravery of the Bernese.

THE Swiss emperor, Rodolph of Hapsbourgh*, whose origin has already been traced, was an extraordinary man. Although born with violent passions, and an ambition under no control; hated in his early youth by his nearest relations, disinherited by his maternal uncle, and twice excommunicated, he proved himself, notwithstanding this unfavourable beginning, one of the ablest of princes, and generally chose justice for his policy. He constantly pursued the system already acted upon by his predecessors, of protecting the towns, and, generally, the middle ranks of society, against the great feudal lords. 1218.

This founder of the house of Austria was in his person tall, and rather thin, with an aquiline nose, bald forehead, and pale 1263.

* Rodolph never was crowned emperor by the pope, and he was only styled King of the Romans.

complexion habitually calm and silent, his countenance readily assumed the expression of affability and good humour when he spoke; and the pressure of affairs never seeming to hurry or incommode him, he was at all times ready either for pleasure or business. Extremely simple in his mode of life, his warriors once beheld him mending his blue doublet with the same hand which had wielded the staff of command in fourteen victorious battles. He bore the fatigues of war to the advanced age of seventy-four, and died in 1291, after a reign of eighteen years.

The situation of an emperor of Germany was not one of ease, and scarcely one of power; many of his nobles were nearly his equals, few were his friends: the honorary protection rather than the sovereign of most of the countries composing his heterogeneous realm, each claiming particular immunities and privileges at variance with each other, and agreeing only in their unwillingness to submit to taxation. Rodolph had been elected emperor, not that he might restore the imperial authority, but because his territory and influence were so inconsiderable as to excite no jealousy in the German princes: his revenue appears to have been totally inadequate to his munificence. The history of his reign is full of bloody quarrels between

barons and abbots, between both and the freemen of towns, the people of the Waldstetten also occasionally mixing in the political fray. The emperor was often called upon to settle these differences by the exercise of his legal authority and of his sword; for the judicial and executive powers were very much and necessarily blended. Public reverence for the clergy, so conspicuous during the preceding centuries, and the preference given them over temporal lords, was now diminishing rapidly. Wealth, and the long possession of power, had operated as they always do; worldly pride had succeeded to christian charity; sloth, sensuality, and avarice, to austerity, simplicity, and zeal. The emperors of Germany, on the other hand, had shown themselves able and willing protectors; hence the general inclination shown by the people in favour of the Ghibeline and against the Guelph faction—the party of the emperor against the party of the pope; and if the power of the church continued to rise for two centuries after this, the cause must have been political rather than moral. The great Swiss revolution of the fourteenth century was visibly preparing in the twelfth and thirteenth, by defensive leagues between towns. The disposition to engage as auxiliaries, and probably as mercenary auxiliaries in

foreign wars, was likewise discernible already, even among the pure republicans of the Waldstetten, and the negotiation of one of the Eccelini (a tyrannical prince of Lombardy), for leave to enlist soldiers in Uri (one of the Waldstetten), excited between his friends and his opponents a furious quarrel, which required the presence of the emperor "*accompanied by all his great vassals,*" before it could be adjusted.

Ischudi relates a curious piece of Waldstetten mythology, and says he found it in the register of Stantz. That same Struth of Winkelried, who had distinguished himself so much when leading his countrymen during the Emperor Frederic's Italian wars, had been obliged to fly from Underwald, on account of a murder; but he obtained his pardon and recall for having, like another Hercules, vanquished a dragon, which, issuing from its den in the mountain, had spread destruction among the shepherds and their cattle.

Some traits of Rodolph's warfare will give an idea of the tactics as well as of the manners of the times. The burghers of Zurich had sent to one of the great feudal lords of the neighbourhood, Lutold of Regensburg, their enemy, a deputation of twelve citizens (six nobles and six burghers), on a conciliatory message.—"You are," said Lu-

told, "surrounded by my possessions, like fish in a net, and must submit forthwith: if you do, I shall govern you kindly." Little satisfied with this proposal, they applied to Rodolph for assistance, and a war ensued. It was a war of stratagems, in which Rodolph, by attracting the attention of Lutold to one point, and then suddenly attacking another, stripped him, in the end, of most of his strong holds. He had invested one of his castles, and expected to reduce it by famine, but finding it better provided than he at first expected, he was on the point of giving up the enterprise, when a bravado of the garrison, who flung fish alive at his men, showing him they had some secret communication with the lake of Zurich, by which they were supplied, induced a search, and the passage being found, the place surrendered. While besieging another castle, a troop of horse, twelve in number, and all white, had been observed to sally forth occasionally; taking the opportunity of one of their sorties, he disguised twelve of his own men, mounted them on white horses also, and then coming full speed in the dusk of the evening, as if pursued, the gates were opened, and the castle surprised and taken by these horsemen, and others near at hand. To avert his utter

ruin. Lutold was glad at last to make peace, and to be received a burgher of Zurich.

Rodolph could sometimes resent the encroachments of plebeians against nobles; but then it was before he was emperor. A feud having long continued between himself and Berthold of Falkenstein, abbot of St. Gall, he purposely omitted the homage due for certain fiefs, which he held of the latter. Whilst he was entertaining a party of friends at Basle, the news of hostile preparation on the part of the abbot obliged him to leave them precipitately. Soon after his departure the burghers, irritated by some offence committed by the noble guests whom he had left in their city, and, as is supposed, excited by their bishop, an enemy of his, quarrelled with them. Some of the knights were killed, and the rest put to flight. Whether Rodolph's high blood could not brook this insult, or the policy of the moment inclined for the knights against the citizens, he determined to punish the latter; and as he could not manage two quarrels at a time, he took the following bold and decided method of settling one of them. Riding directly to St. Gall, attended by only two friends, he called upon the hospitable and warlike abbot, who had that day nine hundred

knights to dine with him, with a view, no doubt, to approaching hostilities. They could not believe that Rodolph would thus really venture into the midst of them—yet it was he. *My lord abbot*, said Rodolph, *I have for some reasons you know delayed doing homage for the fiefs I hold of your saint—but enough of this—I shall do what is right—let there be no war between the Abbot of St Gall and the Count of Hapsbourgh!* The whole assembly was charmed with this frankness; the parties shook hands, and Rodolph was invited to partake of the feast, which went on joyfully. He next adverted to what had happened at Basle—made some pointed remarks on the growing insolence of burghers, and the honour of gentlemen—and in the end carried along with him his enemy, the abbot of St. Gall, and the nine hundred noble guests, with their attendants, in array against Basle. The warlike abbot, indeed, had also a grievance of his own to complain of; the bishop of Basle having laid violent hands on some Rhenish wine destined for his table, he wished for an opportunity of retaliation. After some little effusion of blood, the burghers and their bishop were obliged to consent to terms, and to purchase peace. *What has the Virgin Mary done*

to you, that you should treat her own bishop thus?* said the surly prelate to the abbot, when they met to sign the treaty. *And pray how did St. Gall ever deserve that your lordship should drink his wine?* was the reply. Although it was the emperor's policy to support the towns against the nobles, yet he loved to keep up the splendour of ancient families. Among those on whom his favours were conferred, the d'Erlachs and the Bonstettens are perhaps the only surviving in our days.

Rodolph was involved in a war of short duration with Berne, on account of the Jews. Some individuals of that proscribed race had been charged with the murder of a child, although there did not appear to be any cause for this accusation but the general prejudice then existing. Some of them owned, on the rack, their supposed guilt, and suffered death, while the rest were banished the town. Rodolph, to whose finances the Jews were necessary, took their part. The Bernese persisted, and in his anger he came and laid siege to Berne with fifteen thousand men, but without success: the walls proved too high, and the citi-

* The cathedral or town of Basle was dedicated to the Holy Virgin.

zens too stubborn, for the tactics of that age. Burning rafts sent down the Aar, in order to set fire to the houses and bridges, were stopped by means of stakes, which had been driven into the bed of the river. Want of money, and the difficulty of keeping a great force in the field for any length of time, reduced a monarch, the most powerful of his day, at all events the highest in rank, to retire from before a place, which now could not have held out four-and-twenty hours. When Rodolph was gone, the Bernese, in their turn, acting upon the offensive, attacked separately several of the barons, who had been engaged against them, took possession of their castles, and ravaged their territories.

The following spring, a banneret of Berne, being seated at the gate of the town, discovered troops approaching, in such numbers as to cover half the Schosshalde, a hill close to the town. Immediately giving the alarm, he ran for his banner, and with a few followers advanced to meet the enemy. This brave band made such a resistance, as allowed the burghers time to collect their forces, and sally forth to the relief of the survivors. He who rescued the banner, all bloody and torn, obtained the surname of *Biderben* (the devoted), which passed to his descendants. It

was also in commemoration of this circumstance, that the *Bear* of Berne was subsequently painted on a field gules, with white stripes. The son of the emperor, who commanded the assailants, contented with this first essay of Bernese valour, retired with no other satisfaction than the promise of an annual mass for the rest of the souls of the noble slain! This campaign of a single day, and with such a termination, gives some idea of the very inartificial mode of warfare, as well as of the prowess of the combatants. The unfortunate Jews were not taken into favour again for many years, nor until the death of their protector, and by means of a more powerful friend—their money—being made to pay one thousand marks to the burghers, and five hundred to the avoyer, for all the trouble they had occasioned. Lucerne was more lenient to the Jews, and by indiscriminately condemning, as usurious, the taking any interest for money, only raised the rate so much the higher, and, in fact, enriched them as well as the Lombards, who were the great money-dealers of the time. Upon the whole, the commons in Switzerland, or rather the people of the towns, continued during the reign of Rodolph to acquire that power, which was so soon to outweigh the power of the nobles.

CHAPTER IX.

The Emperor Albert—His Character—He is defeated by the Bernese—Gessler and Landenburg—Their Insolence and Cruelty—The Waldstetten Patriots—Story of William Tell—General Insurrection of the three Waldstetten, who establish their Independence—Assassination of the Emperor Albert—Vengeance of his Daughter—Monastery of Kœnigsfelden.

ALBERT of Hapsbourgh, son of Rodolph, 1298.
was elected to the Imperial throne seven years after his father's death: ambitious like him, but without his prudence and abilities, he did not reckon the good-will and confidence of men among the available means of power, and soon alienated the hearts of his subjects. This Swiss emperor proved an ardent persecutor of his own countrymen, but was the first occasion of their greatness, by teaching them the secret of their own strength.

Berne, already formidable by a warlike population, little more than 100 years after its foundation, incurred the displeasure of Albert, and underwent a siége, which ended no less ingloriously than the one conducted by his father. The Bernese took his banner, and made many prisoners. He next attempted Zurich, but the

differences were soon settled; and the whole weight of his vengeance fell on Glaris, less capable of defence. All these towns acknowledged the sovereignty of the house of Hapsbourgh, and the extent of their dependence was the only ground of dispute; but the people of the Waldstetten (that is, of Uri, Schwitz, and Underwald) acknowledged only the head of the empire, and not the representative of any particular family, as their liege lord. The object of Albert was to unite the whole country now called Switzerland into a compact hereditary appanage of his family, as counts of Hapsbourgh, or dukes of Austria. The Waldstetten steadily refused to accede to any such project; and it was in order to punish or compel them, that instead of sending, as was usual, some nobleman for an imperial governor, whose function was only that of high judge in capital crimes, he sent them two dependants of his family, the bailiffs Gessler and Landenburg, whose dispositions were as hostile as their orders, and who endeavoured to tame, by insults and ill treatment, the high spirit of the mountaineers. As they were not united in towns like the burghers, and had not the same means of defence, they bore this tyranny with apparent submission for some years. Without going through

the disgusting enumeration of all the acts of wanton cruelty and insolence to which they were exposed; we shall mention only two instances. Landenburg had seized a pair of oxen belonging to an inhabitant of Melchtal called Arnold, of Erni, as a punishment for some alleged disobedience. One of his servants, in answer to the expostulation of Erni, said that peasants needed no oxen, and might draw the plough themselves. This provoked a severe blow of a stick. Erni fled, but his father being taken in his stead, had his eyes put out! A girl of Arth had been dishonoured and abandoned by a *châtelain* (an officer of the bailiff). "Love before marriage," observes the good Muller, "is not interdicted between the peasants of our mountains in the vigour and warmth of their youth: but," saith he, "the lover must respect the honour of his mistress." At least, marriage was understood then as it is even at present, to follow any serious deviation in this respect. The brother of the injured woman killed the *châtelain*, and fled: the strictest search was making after him, when the revolution broke out. The names of the three first patriots who planned the insurrection are preserved; and the spot where they met (a spring in a meadow called the Grutli) is marked by tradition, on the left bank of the

lake of the Waldstetten, and nearly fronting Brunnen. They were *Furst*, *Erni* of Melchtal, and *Staaffacher*. After a few nightly meetings, they brought each ten friends, and agreed on a certain day for a general insurrection, and then parted, with a solemn oath of fidelity and secrecy. An incident endangered the success of the undertaking by hastening the crisis:—this was the well-known adventure of William Tell. The bailiff Gessler had caused a pole bearing his hat, perhaps the ducal hat of Austria, to be erected at Altorf, and obliged the inhabitants to bow respectfully to it as they passed. This William Tell (one of the patriotic conspirators) refused to do. A violent altercation ensued, and he was threatened with instant death, unless he would undertake with his bow and arrow to hit an apple placed upon the head of his son, which he did successfully, and then answered a question of the bailiff, why he held a second arrow ready—"To shoot you, if I had missed the apple and hit my son." In consequence of this Roman answer William Tell was taken away in irons to the boat in which Gessler was about to return to his castle, at the other extremity of the lake; but having been released from his fetters, on account of a violent tempest, which rendered his skill necessary, he took ad-

vantage of an opportunity, and leaping on a rock at the foot of the Axemberg, made his escape.

Gessler landed in safety at Kussnacht, but William Tell, who had arrived there by land before, met him in a hollow way between Kussnacht and Imensee, and shot him dead with an arrow.* This incident, which gave great uneasiness to the sworn band of which Tell was one, did not, however, induce them to hasten the day fixed upon for executing their plan, which presented peculiar facilities for its success. It was the first day of the year, when the free ingress allowed to the

* A son of the great Haller published, in 1760, a criticism upon the apple part of the story of William Tell, showing it to be an imitation of a similar story in a Danish historian of the twelfth century (Saxo Grammaticus). Haller's book was publicly burnt by a decree of the exasperated people of the Waldstetten, and copies of it are now so scarce, that we have not been able to see one. There is another story, quite similar to that of William Tell, supposed to have happened forty-eight years before, viz. in Uri, A.D. 1260. The action of Tell did not escape censure at the time, from some of his own friends, as precipitate and culpable; yet this criminal act was consecrated by a chapel at Kussnacht, the place where it occurred, as well as the innocent one of his escape, at the spot where he leaped on shore. Although the episode of the apple is questioned, the rest of the story is not. When the chapel on the rock was built, in 1388, there were present 114 individuals who had known Tell thirty years before.

peasants, bringing their accustomed presents of meat and game to the bailiff, would, it was thought, enable the conspirators to enter, without exciting suspicion. One of them had been admitted into the chateau of Rotzberg* during the night, by means of a rope ladder, at the window of his mistress, and twenty of his friends following him, they secured the fortress, but made no noise until the hour appointed next day. Landenburg and all his châtelains were then seized and carried to the frontier, with an injunction never to return; but not a drop of blood was spilt. On the 7th of January, the people of the Waldstetten assembled, and took an oath of perpetual alliance.

Albert was preparing to wreak his vengeance upon them, when he was assassinated by John of Austria, his nephew and his ward. Exasperated at the refusal of his inheritance as Count of Hapsbourgh, and at the insulting offer of a crown of flowers instead of the lands of his father, this young man, now of age, had complained bitterly to some noble vassals of the family, and joined with four of them in a plot to murder his uncle.

* The story of Anneli and Jagheli is become traditional in the country, and is attached to the ruins of this castle, among which a hermit now lives. They are about one hour's distance from Stantz, towards Mount Pilatus.

Their design was carried into execution on the first of May, 1308, at the ferry of the Reuss, near Windisch (the ancient Vindonissa), and in sight of the castle of Hapsbourgh, the cradle of the house of Austria. Albert having been persuaded to pass first, without his suite, under pretext of not overloading the boat, as soon as he landed, John of Austria struck him with his lance in the throat, calling aloud, "this is the reward of thy injustice." At the same instant, Balm ran him through with his sword; Walther d'Eschenback cleft his head with an edge stroke; Wart remained motionless. They all then fled in different directions. A poor woman passing by, approached the dying prince, and supported him in her arms till he expired.

The terror of the imperial court, and of the whole country, was at first very great, as this act was supposed to be the signal of a general insurrection; but the conspirators had no ulterior plan. Zurich shut her gates, which had not been closed for thirty years; every town raised troops, and took measures for defence; and so contagious is a panic, that even the Waldstetten built the tower of Stanzstadt, and planted palisadoes in their lake, although the death of the tyrant rather insured their safety.

The son and daughter of Albert (the Duke

Leopold and Agnes, widow of a king of Hungary) pursued with unrelenting fury all those supposed to be connected by blood or friendship with the conspirators, without inquiring whether or not they had, or possibly could have had, any share in the crime. Soldiers, servants, every human being belonging to them, were butchered in cold blood. "I am bathing in May-dew," cried Agnes, whilst beholding the execution of sixty-three gentlemen taken in the castle of Balm! A child of Walther, found in his cradle, amid the carnage made of his father's servants, at the castle of Maschwanden, awakened the pity of the executioners, and was spared. Agnes reluctantly confirmed the granted mercy, but she afterwards adopted him, and he was made heir to the name of Schwartzenburg, instead of that of Eschenback. *Adeo crudeliter ut Elisabetha puella regia, sibi ipsa pati extrema videretur*, says Ischudi, speaking of this princess, who was then twenty-six years old. All accomplices were put under the ban of the empire, by which a price was set upon their heads; their goods were confiscated; their wives declared at liberty to marry again; and all persons who should afford them aid or shelter were involved in the same punishment. One thousand persons, mostly innocent, perished on the occasion.

Of the four conspirators, Wart, the one who had not raised his hand against the emperor, alone suffered death. Betrayed, by a near relation, into the hands of Albert's children, he was broken upon the wheel, declaring to the last, that Albert, who had killed the preceding emperor, and detained the inheritance of his nephew, deserved death much more than himself. His wife, of the noble family of Balm, who had in vain sued for his life at the feet of Agnes, remained three days and nights by him, on the scaffold, till he expired: she herself died very soon after. Walter d'Eschenback lived thirty-five years in the disguise of a shepherd. As to the Duke John, he was seen at Pisa in the disguise of a monk, but all further traces of him were lost. Agnes terminated this tragedy by founding the monastery of Kœnigsfelden on the Roman ruins of Vindonissa, discovered in laying the foundations*. Forty nuns

* The building of this abbey cost 3000 marks of silver: it was richly endowed, as well as exempted from all taxes, and it enjoyed an independent jurisdiction. The regulations of Agnes, still extant, are very particular as to the fare and clothing of the holy fraternity, exhibiting the daily allowance of porridge, of game, eggs, pork, fruit, cheese, and wine, for both nuns and friars, who were each allowed two white gowns in three years, and every five years a cloak, a cowl, &c. &c.

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and twenty monks prayed alternately before the altar, the bloody queen vying with them in austerities and zeal, during fifty years. *Woman!* said the hermit Berthold d'Offtringen to her, when she visited his retreat in the mountain, wishing to entice him to Kœnigsfelden, *Woman! God is ill served by the shedding of innocent blood, and rejects offerings which are the fruit of rapine and violence—He loves mercy*!*

The natural turbulence of the age broke out in frequent broils between neighbouring states: in one of these, some inhabitants of Schwitz, on a visit to the shrine of Einsidlen, had been insulted, and even personally maltreated by some of the holy fathers. The people of the Waldstetten would not listen to a compromise, nor to the partial arbitration of Zurich; and, regardless of ecclesiastical censures, surprised the abbey by night, and carrying off the offenders, enjoyed their fears, but inflicted no further punishment.

* This hermit was an old warrior of the Emperor Rodolph.

CHAPTER X.

Warfare of the Dukes of Austria against the Waldstetten—Battle of Morgarten—Kibourg Inheritance—Importance of the Towns—Warlike Bernese—Lucerne joins the Waldstetten Confederacy—The cruel Baron Donat—Manufactures and Traffic—An Instance of Humanity and Magnanimity in War.

THOSE of the German Emperors who did not belong to the house of Austria were friendly to the people of the Waldstetten; and a body of three hundred of the latter engaged in the Italian wars of the successor of Albert. At his death, they were exposed to new dangers; for as there was a disputed election between Louis, Duke of Bavaria, and Frederic of Austria, and they took part against their natural enemy, they were excommunicated by the abbot of Einsidlen, and the bishop of Constance, and put under the ban of the empire by the Aulic tribunal; but a superior ecclesiastical power, the elector of Mayence, relieved them from the one, and Louis of Bavaria from the other—while they themselves prepared to meet the duke's forces, which were marching against them in two opposite directions, by Zug and over the Brunig, with all the nobility of Hapsbourgh, of Lenzbourg, and of Kibourg

from the Aar and the Thur, and also a corps of burghers of Zurich with *one leg blue, and the other white*. Ischudi and others relate that the duke had with him a quantity of ropes to bind the rebels, and hang their principal magistrates and leaders.

A.D. 1315. On the evening of the 14th of November, four hundred men of Uri landed at Brunnen, and soon after three hundred at Underwald, and together joined the men of Schwitz. The old chief, Rodolph Reding, of Biberecck, a man of great military experience, but too infirm to take the command, gave his advice how to proceed. After imploring the assistance of God, their *only Lord*, the army, thirteen hundred strong, took at break of day a position at the foot of Morgarten, near the small lake Algeri, along the marshy borders of which the path of the enemy lay.

Fifty men of Schwytz, who, for some of those offences which the violence of the times rendered common, had been banished beyond the borders, offered their services on this occasion; but the patriots would not admit criminals into their ranks, and they were, it seems, only permitted to occupy an advanced post. After sunrise a forest of lances was seen advancing, and soon the defile

was filled with a promiscuous host of knights in gorgeous armour, and their numerous attendants pressing forward irregularly. Showers of large stones poured down from the heights, by the advanced post, had begun to throw them into disorder, when the Swiss army attacking in flank with their long pikes, penetrated into their ranks; and then, with their heavy clubs, knocked down the horsemen; incumbered with their own weight, and unable from their situation to manage their horses. In attempting to retreat, they trampled down their own infantry; a complete rout followed, and in little more than one hour the whole Austrian army was either killed or dispersed. The number of dead is variously reported; Ischudi estimates it at nine thousand, and he is generally found accurate; others say fifteen or twenty thousand. The Duke Leopold of Austria, extricated with difficulty by his followers, reached Winterthun *pale and in despair*, says a contemporary writer, who saw him the same night. His other army, advancing by the Brunig, penetrated through its fastnesses as far as Alpnach, in Underwald; when they saw at a distance the conquerors of Morgarten pressing forwards to join the small band of their countrymen, and heard their cries of victory. Muller quotes

on this occasion a passage of Tacitus, of which every soldier will probably feel the truth, *the eye is the first vanquished in battle**. The Austrians immediately began a difficult retreat across the mountains towards Lucerne, which few of them reached. This day has since been commemorated every year by the Waldstetten people, and the names of those who died at Morgarten were read aloud at the general meeting held at the fountain of Rutli. The duke was compelled to agree to a truce, renewed afterwards from time to time till his death; although the people of the Waldstetten remained firmly attached to his enemy the emperor Louis.

Hartman, Count of Kibourg, had left a vast inheritance in the hands of his widow, to be administered for his sons Hartman and Eberard; the youngest (Eberard), of a mild and studious disposition, was on the point of being deprived of his due share of the patrimony by an unjust compromise, and the parties, with their friends, had assembled for the execution of the deeds at the castle of Thun. Some contemptuous language used by Count Hartman during the entertainment given on this occasion was followed by a

* Primi in omnibus prœliis oculi vincuntur.

quarrel, in which the friends on both sides drew their swords, and Hartman, mortally wounded in the scuffle, was thrown out of a window. Eberard, although perhaps innocent of the deed, fearing the consequences, sent immediately an express to Berne, offering a part of his inheritance and one mark of silver as an annual contribution, provided he might be made a burgher, and protected as such, to which the Bernese consented. Finding himself afterwards treated as a vassal rather than as a free burgher, he sought the bourgeoisie of Fribourg, instead of Berne, not thinking it advisable to forego the protection of both these warlike republics. This transaction shows the importance the towns had acquired, since so powerful a person as the heir of the Kibourg family thought it expedient to have recourse to them for protection.

Berne, although enlarged, could no longer contain the crowd of men of all ranks who sought within its walls and in the title of burgher an honourable distinction, together with a powerful guarantee of their safety and liberty; many of them, who dwelt in the country, formed an additional force ready to join the banners of Berne whenever wanted, and every one paid some annual contribution. Young men at the age of fif-

teen took the oath of fidelity to the empire*, to the town, and to the first magistrate.

They called the freedom of the city *their honour*, and were even ready to defend it with the same energy of feeling as their personal honour, and at the same time with a sense of duty not to be shaken by any selfish interest. Always in arms, and eager for active warfare, whenever an extraordinary messenger reached the doors of the senate, or the alarm-bell sounded, they pressed forwards to learn against whom they were to be led, and the bridges proved scarcely wide enough to afford passage to the eager bands of young warriors. Personal courage seems to have constituted nearly all the tactics of the age.

Without following the chronicle into all the details of barbaric warfare, we shall only mention such occurrences as may serve to mark the state of manners and degree of civilization. The Bernese laid siege to *Landeron*, a town between the

* There was still in the name of the empire a fascination which declined rapidly after the long and glorious reign of Frederic II. The personal qualities of the emperors had indeed generally been such as became their station; an advantage doubtless attendant upon the elective form of sovereignty, but which, in another point of view, may be considered as an aggravation of its inconveniencies.

lakes of Neufchâtel and Morat, and were on the point of making a breach in the wall, under cover of certain engines called catts, when the besieged contrived to hook in these machines by means of strong irons at the end of long poles, and actually drew them up into the place *. The enraged assailants vented their fury on their own engineer by cutting off his head, after which they buried him with the honours of war, and the respect due to his patrician rank.

Lucerne, or rather the popular party among its burghers, disgusted with the oppressive domination of the house of Austria, negotiated with the Waldstetten to be admitted into the league; but the more considerable families conspiring against the majority were detected and secured, with the assistance of 300 men sent by the Waldstetten. Faithful to the principles of moderation which had marked their own revolution, the latter used their influence to prevent any punishment being inflicted. The resentment of the house of Austria was of course increased by this event, and all intercourse between their vassals and the Waldstetten interdicted.

* A species of angling which brings to recollection that of Caliban in the Tempest,

"He sat upon a rock, and bobb'd for whales."

John Donat, Baron of Valz, the most powerful of the nobles of the Upper Rhine, was alone favourable to the cause of the Waldstetten, a useful but not a very creditable protector. This ruffian, who seemed to realize the fable of Procrustes, took pleasure in tormenting his prisoners in various ways, calling those whom he starved to death in the dungeon of the castle his singing birds, in allusion to the music of their shrieks and groans! He once invited three of his serfs to a hearty meal and liberal allowance of wine, then made one of them walk all night out of doors, and another sit up in the room, whilst the third was allowed to go to bed, and the next morning had them cut open, just to see which of the three had made the best digestion! Having defeated the troops of the Bishop of Coire in an engagement, they chose rather to fly to the snows of the mountain, at the risk of almost certain death, than to fall into the hands of the baron. This noble fiend having died, a herd of inferior tyrants began their depredations on the Waldstetten. Their borders were ravaged, and the passages of the high Alps shut against them. Yet their moderation and valour triumphed in the end even over the enmity of the Dukes of Austria, and obtained them peace.

Berne and Fribourg had now attained to some

degree of commercial industry. They made cloth with the wool of their flocks, and were not ignorant of the art of dying. Zurich and St. Gall had manufactures of linen. Geneva imported the productions of the East, dry fruits, sugar, spices, &c. But a sort of mystery still environed the exchange and circulation of money; and in some places no one was allowed, whether Jew or Christian, to have gold scales in his possession, except the master of the mint.

When any instance of generosity or virtue occurs in history, the mind experiences a sudden and sweet emotion of surprise and delight, which serves to mark the more, how opposite are the feelings that its records usually impart; yet history may be said to calumniate mankind just as common conversation belies society; both are made up of slander, and too apt to be silent where there is no room for blame. During the various disputes which accompanied each successive election of an emperor, Soleure having embraced the cause of Louis of Bavaria, was besieged by Duke Leopold, and a great inundation of the Aar having carried away his works, machines, and bridges, a number of his men were in imminent danger of perishing. At this moment, the Soleurians, forgetful of all hostile considerations, put off in boats,

and rescued them. The duke was touched, and unwilling to be outdone in magnanimity, requested to be introduced into the town with only thirty followers, presented a banner, and made peace. This incident was made the subject of a dramatic performance.

The Waldstetten had been excommunicated for their adherence to the cause of Louis of Bavaria, and the people of Basle were threatened with a similar sentence; but they warned the Pope's nuncio, that if he attempted to proclaim it in their town, they would infallibly precipitate him from the lofty terrace before the cathedral into the Rhine—and they were not excommunicated!

CHAPTER XI.

Zurich—The Jews oppressed—Schools, Literature, and Poets—Rodolph Braun's Usurpation—Zurich joins the Helvetic League—A Conspiracy against the Usurper cruelly punished—Glaris joins the League—Cowardice of Rodolph Braun—Courage of Roger Manesse—Zug and Berne join the League.

Local circumstances might vary the peculiar form of government in each municipal republic of the Helvetic league, but something of the feudal spirit adhered to the constitution of them all; and the sovereign power remained divided between the emperor and the people, inasmuch as criminal justice was dispensed by an imperial deputy under German laws. The great purpose which had prompted these political associations, was the maintenance of individual safety against external violence; and the strictness with which each community was bound to protect its members is shown by a singular clause of the laws of Zurich, intended to limit that very protection. It stipulated, that after the admission of a new burgher, the town was not to be involved during the first six months in any new war upon his account!

We shall here introduce a cursory notice of such customs and usages on record concerning

Zurich, during the fourteenth century, as may assist to form an idea of the practical constitution of that canton, first in rank of the Helvetic league. The burghers were summoned by the sound of a large bell to a high spot within the walls, but in the open air, to deliberate upon public affairs, make war or peace, regulate the price of provisions, the weights and measures, the standards of which were suspended to a pillar in the council-chamber. In any important affair the clergy were consulted. The burghers were bound to assist at the election of the council every four months, under pain of losing their prerogative; and the legality of disputed elections was referred to the emperor. The council was composed of twelve knights and twenty-four burghers, in three divisions, serving in rotation, and generally selected from a very few principal families. Suits at law between burghers and churchmen were laid before an ecclesiastical court, composed of three canons, selected jointly by the commune and the two chapters. Yet the house of a priest was held less inviolable than that of a burgher; an assassin might sooner be taken by force from the former than from the latter. The carrying of arms was forbidden on pain of ten livres' fine for a knife openly borne in the girdle, or twice that sum if it

were hidden. The most distinguished personage dared not invite more than twenty mothers of families to his wedding-feast; nor have more than two hautboys, two violins, and two singers. Jews were subjected to wanton insults and hardships, their usual portion all over Christendom, obliged to hide themselves carefully during the holy week, and forbidden from being present at a baptism under the penalty of ten marks.

The schools of Zurich were much celebrated, and owing to the great afflux of strangers frequenting their town, the inhabitants had acquired a knowledge of the literary productions of other countries; many became illustrious by their learning, and some of them ventured to entertain opinions contrary to the tenets of Rome, and to disapprove of the established forms of religious worship. Roger Manesse was one of those, who most encouraged letters by his taste and liberality. The Minnesingers were ever welcome at his castle of Manegk, and he left to posterity a selection of the best verses of more than one hundred and forty cotemporary poets, under the name of songs of the Nivelons, which Muller remarks might become the Iliad of Germany. The feudal castles of Thurgau and Oberland, crowning summits higher than those of ancient Parnassus, resounded to the strains of

Hadloub, a poetical burgher of Zurich. Warlike barons caught the inspiration; for Wolfran d'Eschenboch sang the marvellous adventures of William of Orange and Rodolph of Montfort; and with still better success those of William of Orleans. Many other barons and knights of fame, who felt the heavenly fire, sang of pure love, and railed at vulgar joys in satirical ballads. Their dialect, in pathos, vigour, simplicity, and harmony, surpassed the German language of our days; but the mind of man, unfortunately prone to abuse his best faculties, too quickly passes from their improvement to their perversion, and thus a period of peace and refinement was too soon succeeded by another of trouble and faction.

An enterprising citizen of Zurich, called Rodolph Braun, found means to persuade his fellow-citizens that they were enslaved by their magistrates, who, grown indolent in the possession of a power almost become hereditary, and neglectful of those qualities by which their forefathers had obtained it, were easily dispossessed by this able demagogue. In his own person, and with the title of *burgomaster* for life, he very soon established, in place of their mild oligarchy, a system of rigorous despotism, sought to confirm his power by numerous proscriptions and confiscations, shed without mercy

the blood of all who opposed him, and under the ready plea of plots and conspiracies against the safety of the state, imposed upon the higher classes first, and afterwards upon the lower, restraints and severities unknown before. Any citizen, who left the town without his permission, was *ipso facto* banished for ever. Individuals, even the nearest relations, were forbidden to meet more than five together, and afterwards more than three. It was penal to be abroad without a light after the first tolling of the evening-bell, or to open the street-door after the second; the interval between the two being merely sufficient to walk half a mile. Unusual punishments were inflicted for slight offences, such as putting out the eyes, or cutting off the hands. In order to secure the good will of the tradesmen of the town, he incorporated companies, which obtained a monopoly of industry, tending to enhance the price of manufactured articles, and to reduce that of the raw material; thus giving the town an unjust and prejudicial advantage over the country. The council was entirely composed of the members of these corporations, and all his measures were readily acquiesced in by a legislature of patriotic mercers and shoemakers. Some persons having ventured to propose a free trade in articles of the first necessity, such as

bread, leather, wine, &c. a decree was instantly enacted, making it highly penal even to propose such a thing in future. On the part of the emperor this usurper experienced no opposition, having always taken care that his feudal rights should not be infringed in any respect.

It is the misfortune of reformers, as of physicians, that so many quacks bring discredit on honest practitioners; for in the body politic, as in the human body, the sick are justly fearful that the remedy may prove worse than the disease; and though willing to believe in the healing art, have no faith in the artist. The history of this revolution is, like many others, ill calculated to produce confidence.

A. D. 1351. Zurich, under Rodolph Braun, joined the Helvetic league, and became, by the modest deference of the Waldstetten, the first in rank*. Although an able and skilful administrator, his tyranny and injustice made him many enemies; but a conspiracy, which proved very nearly fatal to him, served only to sharpen his jealousy and unrelenting cruelty. The friends of individual

* The three Waldstetten, Uric, Schwitz, and Underwalden, although the founders of the Helvetic league, yielded precedence to Zurich, Berne, and Lucerne, which are considered as the first, second, and third cantons.

sufferers conspired against his government and his life, and the secret known by 700 persons was faithfully kept to the last. On the eve of the execution of the plot, Ulric, baron of Bonstetten, entered Zurich on horseback, with a numerous retinue, under the pretence of a visit to a relation. The Count of Hapsbourg arrived at night—Berenger de Landenburg scaled the rampart—the guard next to the house of Rodolph Braun had been gained over—the people of Rapperschwyl, much exasperated against him, were expected every moment—success appeared infallible, when a baker's boy, who lay unseen behind the stove of a room, where some of the conspirators had assembled, overheard their discourse, and found means to inform Rodolph Braun, who ran away immediately, barefooted, towards the Town-hall. On his way he was met by some of the conspirators, and his servant, who walked first, was killed, while he, knowing the watch-word (*Peterman*), escaped. Bolting the gate of the Town-hall after him, he gave the alarm from the windows, some of the burghers rang the bells, and the whole town was soon up in arms, without knowing against whom. The conspirators were in the end overcome, many perished in the streets, others were drowned in attempting to cross the Limmat in crowded boats,

and some escaped by mixing with the burghers. On those who were so unfortunate as to be taken prisoners, Rodolph glutted his revenge, beheading some, and breaking others on the wheel, before their own doors. The dead bodies of those slain in the attack were left for several days about the streets, trampled under foot by the horses, and torn by dogs, frightful objects of terror and disgust. Bonstetten and Hapsbourg remained prisoners in the insulated tower of the lake. Braun instantly laid siege to Rapperschywl, and by threats and fair promises induced the people to open their gates; but once master of the place, he carried off the principal inhabitants as hostages, and razed the castle and walls to the ground. Waiting then till winter had set in, he drove all the inhabitants, men, women, and children, sick, old, and infirm, from their houses, and set fire to the town. This treatment of a city under his protection excited the resentment of Albert, Duke of Austria, who assembled an army the following year, and appeared before Zurich with fifteen or twenty thousand men. A mere wall was, in those days, no unimportant defence, and the siege drawing into length, brought about proposals of pacification, in which Agnes of Kœnigsfeld, the cruel daughter of the Emperor Albert, and sister to the duke, was

mediatrix; but the treaty, made and broken several times, ended again in protracted hostilities; and Glaris, summoned to take up arms, and harshly treated by the Austrian governor, rose against him, defeated and killed him, and was then admitted into the Helvetic league, where it ranks 1352 as the eighth canton.

A body of troops, 4000 strong, sent to the assistance of the duke, encamping near the baths of Baden, Rodolph Braun undertook to surprise them with 1500 men of Zurich; but being surprised himself, and on the point of being surrounded, he provided for his personal safety by a secret flight, abandoning his companions to their fate. In this extremity Roger Manesse, a descendant of the man of letters, assumed the command, gave battle, was victorious, and regained Zurich with six of the enemy's banners. For a period of 170 years after this memorable engagement, that is, until the reformation, one individual from each family in Zurich, forming in all a body of about 1500 persons, went annually in pilgrimage to the abbey of Einsidlen, to fulfil a vow made in that hour of danger. It does not appear that the tyrant forfeited much of his influence or power by this piece of barefaced cowardice; for the rabble of the town, with whom

he was a favourite, taking forcible possession of the city-banner, carried it to the place where he had concealed himself, brought him back, and confirmed him in his authority for the rest of his life.

A. D. 1352. The people of Zug being, in consequence of their allegiance to Albert, exposed to the attacks of the Waldstetten, allies of Zurich, sent a deputation to Kœnigsfeld, to inform the duke of their perilous situation. They found him engaged in a conversation with his falconer, which he did not interrupt to listen to their complaints. Such arrogant behaviour determined them to follow the example of Glaris; they sued to be admitted into the league, and became the seventh canton.

A. D. 1352. The duke, reserving his vengeance against these obscure people until he should have reduced Zurich to submission, reappeared the following year with a greater force, providing for the expense by unusual taxes in his hereditary dominions, to which even church-property was subjected. The great plague of 1349 had so diminished the population, as to raise the pay of the soldiery to an exorbitant rate *.

* Servants of either sex could with difficulty be procured. Muller quotes some curious documents respecting high prices.

By extraordinary exertions, and with the assistance of many great barons and bishops, the force which the duke had now assembled before Zurich amounted to 30,000 infantry, and 4000 horse; yet an army, so numerous for the times, did absolutely nothing: starved for want of proper magazines, their foraging parties destroyed, the motley crowd of knights and beggarly followers totally discouraged, vanished as early as the beginning of June, and after lying but a few weeks before the town. It is, therefore, the insignificance of the result, which gives historical importance to this imperial campaign, as illustrating the nature of military power at the time.

The Bernese had been compelled, by their duty to the duke of Austria, to send, much against their inclination, their quota of troops to his army; but to avoid any similar obligation in future, they joined the league, and were admitted to take precedence immediately after Zürich, as the second canton.

CHAPTER XII.

Towns Objects of Jealousy with the Barons, and of Favour with the Emperors—Charles IV. is, however, induced to assist the Duke of Austria against Zurich—He soon retires—Death of Rodolph Braun—Views of Society and Government at Berne—Battle of Laufen—D'Erlach—Barons impoverished by War, alienate their feudal Rights.

A. D. 1353. THE duke, unremitting in his endeavours to subdue Zug and Glaris, and to punish Zurich and the Waldstetten, brought his grievances before his liege lord and theirs, the emperor, who failing in his endeavours to reconcile differences, and forgetting the usual policy of his predecessors, who sought in the towns auxiliaries against the nobility, was at last induced to lend his aid to the duke. Summonses were sent to all the feudatories of Austria, and to those of the empire, to every baron and knight, to take the field in the spring of 1354; and each town was commanded to send its quota of militia. The mighty preparations were so disproportioned to their object, that all Europe looked upon this campaign as a party of pleasure. The Swiss, sensible of their danger, yet calm and resolute, sent word that they were *simple men, little versed*

in business, yet knew what they had sworn, and would abide by it. At length, Charles IV. appeared before Zurich with 4000 knights, and a mass of foot and horse, estimated by some historians at eighty or one hundred thousand, but which Muller reduces to forty thousand. Zurich, on the contrary, had but four thousand fighting men within its walls; yet no attempt was made to force them. The war was merely carried on by sorties and skirmishes, generally terminating to the advantage of the besieged, and affording frequent opportunities of communication between them and the heterogeneous assemblage of vassals that lay before their gates. Many of these were, as may be easily imagined, when we see Bernese troops among them*, disinclined to the war, and this intercourse increased the disinclination. The people of Zurich, affecting to separate the cause of the emperor from that of the duke of Austria, displayed from their tower, as a token of their fidelity to the former, the banner of the holy Roman empire, with the black eagle on a gold ground. The well-timed petition of a number of barons, burghers, and magistrates, at length de-

* The Bernese, as members of the confederation, would have been exempted from assisting the duke of Austria, but to the empire their allegiance was paramount.

termined the emperor to relinquish the undertaking without any change of circumstances, further than such difficulties as might easily have been foreseen, to alter his opinion; and the imperial army separated, after a siege of twenty days, with the same precipitancy and disorder, as that of the duke of Austria had done the preceding year.

14th Sept. 1354.

The duke, although reduced to his own means of carrying on the war, took the field again in 1355, having purchased from the king of Hungary the assistance of a troop of fifteen hundred light horse. This horde of barbarians could do nothing against the walls of Zurich, or the rocks and mountains of the Waldstetten, but their predatory excursions were carried on over all the flat country, whether it belonged to friend or foe. The nobles of Argau found their castles assaulted, and sometimes burnt down: the Austrian peasants their crops carried off, and cattle driven away. The clamours of the whole country obliged the old duke to negotiate a peace, in which the acknowledgment of the Helvetic league was required as a preliminary. Bribed by the duke, Rodolph Braun subscribed to insidious terms, by which the safety of the confederation would have been endangered, and which were rejected by the

other cantons. Notwithstanding the discovery of this baseness, he was permitted to end his days at Zurich, in the possession of sovereign power, under the title of Burgomaster, and died at the age of 75, after a successful usurpation of twenty-five years. 1360. His family did not close their career so prosperously; being involved in a charge of assassination some years after his death, they were exiled from Zurich, though not without opposition on the part of a faction who still cherished the memory of the usurper.

The death of the old duke of Austria, which preceded that of Braun about twelve months, gave breathing-time to Switzerland.

In order to take a connected view of the interesting events at Zurich, we have passed over the history of Berne, and have now to go back some years. 1338. The state of society in this city, and the spirit which characterized its patriotic citizens, was by no means that of equality, scarcely indeed of liberty, in the modern sense of the word; for the management of public concerns seems to have been abandoned without control to a certain number of families, originally illustrious by individual virtue and talents, or by noble extraction; and the magistrates, generally selected from amongst them, thought little of consulting

the people at large, but decided at once what they deemed best for the prosperity, honour, and safety of the country. The dangers to which the community was continually exposed, from the enterprises of Austria and the great barons, and the necessity of providing against them, left no room for jealousy of internal power. In the intervals of their public duties, the patricians knew no other occupation but agriculture, and the four trades of butcher, baker, tanner, and blacksmith, employed the rest of the citizens, who were divided into so many corporate bodies or companies, to which that of quarriers and stone-cutters was afterwards added. Spinning and weaving were probably only domestic employments. With few wants of any sort, there was much leisure, and the restless activity directed in modern times to so many pursuits, had then no object but military prowess. Whilst reading the early history of Berne, we are struck by the similarity of its government, and of the manners and dispositions of the Bernese, with what we know of the heroic ages of Rome; and the likeness becomes more apparent as we proceed. Strange as it may seem, the conquests of the Romans, previous to the taking of Veii, were not more inconsiderable than those of Berne, during the same space of time;

yet Rome was not, like Berne, shut in between great powers, but had only to contend with small states already old and in decay.

The excommunication of the emperor, Louis of Bavaria, offered a fair plea for Berne to refuse acknowledging the supremacy of the empire; but conduct so insolent as this was deemed by the great barons, on the part of a republic of burghers, only added to the number and zeal of its enemies. The town of Fribourg itself was secretly one of them. Sensible of the danger, and anxious to avert it, Berne made liberal offers, which were rejected; and the united force of the emperor, the nobles, and their allies, already threatened the small town of Laufen, within her territory, whither the Avoyer Bubenberg repaired with six hundred men, determined to defend it to their last breath. The imperial army consisted of 15,000 foot and 3000 horse, led on by 1200 knights and 700 barons, with *crowned helmets.* The peasants, flocking into the towns for safety, brought exaggerated reports of the numbers and splendour of the Austrian army, and repeated the bitter sarcasms indulged in against the Bernese. Laufen was invested; its walls battered by the ram, and undermined under cover of other machines. Large stones were flung into the town

by means of a catapult (*blæden.*) The Bernese had resolved to attack the enemy in their camp; but were hesitating about the choice of a general, when Rodolph d'Erlach appeared amongst them, himself a warrior, long tried in the field. The elder burghers remembered with pleasure that his father had led them to victory at Dounerbuhl forty years before. Rodolph, although a burgher of Berne, was also Vavasseur of Nidau, and tutor of the young count, but desirous to reconcile opposite duties, or duty with inclination, he had applied to the count in the enemy's camp, and, representing his situation, had requested leave to repair to Berne. The permission was granted with affected facility, and a contemptuous remark, that the loss of one man out of so many would scarcely be felt. "*My liege,*" said d'Erlach, "*I hope I shall show myself a man.*" Being instantly called to command by the Bernese, he made a speech, recorded in Muller, at the close of which the citizens rose spontaneously, and swore to God that they would follow and obey Rodolph d'Erlach till their dying breath.

1339. Word having been sent to the Waldstetten, nine hundred men passed the Brunig, and soon appeared at the gates of Berne. Eighty horsemen arrived from Soleure, but none

of the other allies of the Bernese assisted them in this extremity. Their army, six thousand strong, left the town by moonlight, with a priest carrying the consecrated wafer before them, while the women and old men, closing the gates, retired to pray for their success. At noon the next day, they had taken a position in sight of the imperialists, and warriors on both sides advancing on the middle ground, defied one another aloud. John of Makenburg, Avoyer of Fribourg, called out, "*You have women in disguise among you!*" "*That will appear to-day,*" replied Rinkenburg. The chronicles record various other bravadoes and insulting taunts; yet the young Count of Nidau was heard to say to his friends, "*Be not impatient; these Bernese will soon give you work enough. As to myself, I may lose my life here, but it shall cost them dear.*"

The troops of Waldstetten and Soleure were detached by d'Erlach to watch the enemy's cavalry, which was manœuvring to turn him. "Where are they," he called out, "those lively youths, always first in the dance, adorned with flowers and plumes? Let them now stand forth, with our banner and with me. The fame of the republic is in their hands." At these words a crowd of young men, starting from the ranks, pressed round the

standard. The slingers stepped forwards, and flinging three volleys of stones, made a gap in the enemy's front. The armed chariots rushed through. D'Erlach and his brave men followed in close order; a part, however, of his rear guard, panic struck, having made a retrograde motion, "*Friends,*" he exclaimed, "*the victory is ours—the cowards have left us.*" The struggle was bloody, but it was not long. The want of subordination among so many rival chiefs made it almost impossible for the imperial squadrons, when once thrown into disorder, to rally again. The defeat became a rout, and the motley multitude fled in all directions, throwing away their arms. D'Erlach then turned to the assistance of the people of Soleure and the Waldstetten, still exposed to the charges of the cavalry, which was soon also put to flight. Rodolph of Nidau, John of Savoy, three counts of Gruyere, and eleven other counts, had been killed in the battle; on hearing which, Blumenberg cried out, "God forbid I should survive such men;" and, although already out of danger, turned back, spurred his horse into the ranks of the Waldstetten, and soon found the death he sought. When all pursuit was over, the whole army, falling upon their knees, gave thanks for this victory; after which they passed the night upon the field, buried

their dead the next morning, and then returned to Berne, carrying with them eighty crowned helmets, and twenty-seven banners, taken from the enemy. At Berne, as appears by a receipt still extant, the sum of seven hundred livres de deniers (*Pfund Pfenning*), was given to the Waldstetten to defray their expenses, exclusive of an indemnification for their loss of arms and horses; and from that time forth, this great day has been annually commemorated.

The war, after this, was carried on for a while merely by occasional skirmishes and forays, in which the youth of Berne were generally successful, and so eager at the sport, that, by way of deploring the truce of Lent, they nicknamed it "their lying in." A check, however, which they received at Fribourg determined D'Erlach to retaliate more seriously, and the resolution transported them with joy. Accordingly, he set forth in the night, with a squadron of horse, and two battalions of foot, ordered the greater part of them to conceal themselves in a wood near the town, and then appearing before the walls, with a detachment small enough to provoke a sortie from the inhabitants, drew them into the ambuscade, where four hundred were killed, and many more drowned, in attempting to cross the river on their

retreat. It now became a common saying, that "*God had been received a burgher of Berne,*" whilst, on the other hand, the great barons were daily sinking into such difficulties as reduced them to the necessity of alienating their feudal rights. The Count de Gruyere actually sold many of his* to the shepherds of his mountains. These transactions compensated to the peasants for the past miséries of the war. To Berne, however, the peace, though compulsatory upon the enemy, brought only glory, and the terms differed in nothing from those offered before the beginning of the war; but a triumph, nobler and more gratifying than even that of Laufen, the triumph of honest fame, awaited Rodolph d'Erlach in the unanimous request made to him by the relations of the orphan children of the Count of Nidau, killed in that battle, to become their guardian, as the ablest and safest protector that could be chosen for their persons and inheritance. He was the Swiss Washington.

Differences still remained to be settled with the Counts of Gruyere, against whom a sort of obscure warfare was maintained during eleven more years,

* Such as the toll of one batz, or three French sous, per head on cattle; the duty called *dou peys*, upon the weighing of butter and cheese, &c.

without any decided advantage on either side, but exhibiting many *traits* of prowess and *valour*. A Bernese commander, finding himself surrounded and pierced with many wounds, but anxious even in death to save the standard of which he was the bearer, gave one last and sudden effort, and raising himself among the crowd, flung the banner over the heads of his enemies to his own people, and sunk down again contented in death. The chronicles also record the heroism of two vassals of the Count Peter de Gruyere, who, seeing their master surprised and nearly overcome, availed themselves of a narrow defile to face the enemy, and with their double-handed swords to make such resistance as afforded him time to escape and return with fresh reinforcements. The memory of this action, and the names of the two brave men, are still preserved in the village of *Willars-sous-mont*, where their families enjoyed certain privileges.

CHAPTER XIII.

Growth of civil Liberty—Terrible Pestilence—Flagellants—The Jews—Berne ill. conquers the Simnaethal—John of Bubenberg banished—Recalled—Assassinated—The Nature of Co-burgherships—Sumptuary Laws—Dress of Men and Women.

Amidst the inextricable confusion of feudal rights and duties, clashing with the privileges of towns, and with the co-burgherships granted to individuals*, we may still discern the slow advance of civil liberty, and the gradual rise of the peasantry from the condition of serfs to that of freemen. Thus the people of the Simnaethal obtained from their lord the privilege of being tried by their own judges, and of enacting their own laws, among which we find a fine of one livre for striking a blow, four livres for speaking slander, and ten for giving the lie in presence of a magistrate.

The chronicle of Gruyere goes into ample details of tilts and tournaments, and other warlike sports, given by the noble counts on the turf round their castle, and relates the witty sayings of their

* An individual might be a burgher in one or more cantons, whether he resided in them or not, and although he was sometimes the vassal of a feudal lord.

fool Gerard Chalmata, at the very time a frightful plague was sweeping away one-third of the inhabitants of Switzerland, and desolated Asia not less than Europe. The lands* were left uncultivated, houses and castles without inhabitants, and in some cases without any one to claim the inheritance. Priests were too few to administer the sacrament to the dying, and burying-places afforded no more room for graves. By a strange accumulation of woe, the country was shaken by earthquakes of unexampled violence and duration. The city of Basle, the largest in Helvetia, was nearly destroyed by them†. Such

1345 to 1349.

* After the plague of 1348, which carried off 14,000 persons in Basle alone, a medal was struck, which the surviving inhabitants used to send to each other (memento mori), bearing on one side three roses, and on the other a death's head, with a wheat ear growing out of it, and the device "Hodie mihi, cras tibi." A cotemporary writer says, that in one quarter of the town, extending from Eschinner to the gate of the Rhine, not more than three married couples remained alive. The mortality was even greater in Italy. Florence alone lost 100,000 inhabitants, Naples 60,000, Sienna 80,000. The contagion reached even Iceland, an insulated, and almost polar region, nearly destroying its whole population.

† Ischudi speaks of more than forty towns in Carinthia, Carniola, and Istria, as wholly destroyed. At Basle, after several shocks, there was, on the 18th of October, 1356, about ten o'clock at night, a concussion, which, in a few minutes, over-

awful visitations, the proofs, as they were deemed, of Divine wrath, induced the most rigorous penitential practices on the part of timorous sinners; holy fraternities of itinerant flagellants undertook to atone for the unworthiness of mankind by inflicting the punishment of hard flogging upon themselves. Others, on the contrary, impressed by an idea of the shortness of life, were thrown into the extremes of dissoluteness and sensuality*. An active persecution of the Jews being supposed by many to be the best means of propitiating Providence, at Basle they were collected in a wooden

threw most of the houses, leaving only about one hundred standing. Fire was blazing under the ruins for many days. The walls, so often defended by a courageous people, were levelled to the ground, together with eighty-four neighbouring castles. Yet some of the chronicles represent the loss of lives as inconsiderable, one reducing it to a hundred, and another to a thousand. Albert, Duke of Austria, being at this time on bad terms with Basle, it was suggested to him that he might take possession of the town without any difficulty. "God forbid," answered the prince, "that I should wound those whom Providence has spared;" and he forthwith sent four hundred workmen from the Black Forest to assist the inhabitants in the restoration of their dwellings.

* Affermavano il bever assai ed il godere e l'andar cantando attorno e sollazzando ed il soddisfare d' ogni cosa all' appetito che si potesse e di cioche avveniva ridersi e beffarsi, essere medicina certissima a tanto male.—*Boccaccio.*

building, and burnt together: at Zurich they met with the same fate. At Constance, a poor devoted wretch, who had redeemed his life by embracing the christian religion, in a fit of remorse, inflicted upon himself the death of Rhazi; and the same whimsical example of self-barbarity was imitated by a whole synagogue at Eslingen. Muller, who relates these facts, quotes his authorities, which are numerous. The Bernese indulged in a whim of another sort: their magistrates, fancying that war might make a happy diversion to the plague and earthquakes, invaded their neighbours of the Simmenthal, and effected a permanent conquest of their country. Assembling the women in their camp, they gave a great entertainment, at which, it is on record, that one thousand couples stood up in the dance. Faction went on as well as war. John of Bubenberg, one of the heroes of Laufen, accused before his fellow citizens of hereditary pomp and pride, was banished with all his friends for one hundred years and a day. Fourteen years after, this rigorous sentence was repealed, in spite of much opposition from his enemies; and the chronicle relates, that while the debates were going on, the greffier (recorder), pretending not to be able to find in the Handfeste (the imperial

charter given to Berne by the Emperor Frederic) some passage favourable to the illustrious exile, a friend of the latter threw a handful of wild cherries in his face, and taking up the charter, which this sudden attack had caused to fall from his hands, read the passage in question aloud! The multitude, that had applauded the sentence before, again applauded when it was set aside, and compelled their avoyer (an enemy of Bubenberg) to give them the banner from a window of his house, where it appears he had shut himself up, in order that they might celebrate, with proper solemnity, the return of the venerable exile, whose son was soon after chosen avoyer.

Rodolph d'Erlach, having reached a very advanced age, retired to his inheritance, the castle of Reichenbach, on the Aar, about a league from Berne, where he led a patriarchal life. One day, when his servants were employed in the labours of the field, and an old dog remained his sole guardian, the husband of his daughter, one Rudenz, of Underwalden, with whom he had quarrelled about his debts and his wife's fortune, finding him alone, took down a sword which hung by the wall, the very sword which the hero had worn at Laufen, and struck him to the heart.

He was pursued by the howls of the old dog to the next forest, but escaped all further search at the time, and soon after died a natural death.

The intricacy of feudal rights, privileges, and duties, their great strictness, and, at the same time, the extreme facility with which they were acquired or lost, by gradual encroachments, by an express bargain and legal transfer, or by the fortune of war, gave rise to singular political casualties. Two villages on the lake of the Waldstetten, called Gersau and Wiggis, had become fiefs of the house of Hapsbourg *, and had been as such mortgaged, or otherwise successively transferred, to various noble houses. The people of Gersau took advantage of a favourable opportunity, and redeemed themselves by purchase in 1390. An independent state, two leagues in length and one in breadth, was thus formed; of which few persons in Europe knew the existence,

* The counts of Hapsbourgh, as we have elsewhere intimated, were originally the advocates, patrons, or chosen defenders of various towns, villages, and independent communities, at the court of the emperor, who was lord paramount of the whole country, and acknowledged as such every-where. By degrees the chosen protectors became hereditary. They received an annual census in money, as a seignorial right, which they occasionally transferred at pleasure.

although it had in 1786 the magnanimity to refuse a pension offered by France. As to the lordship of Wiggis, it was purchased by Lucerne, and thenceforward all hopes of emancipation died away; experience having proved that the barons were accessible to ready-money as a compensation for their feudal rights, but that republican burghers knew the value of liberty too well to bestow it for gold, far less to grant it for nothing: their vassals, therefore, were sure of remaining so for ever. They even esteemed themselves bound to protect, and often did protect, the feudal prerogatives of those lords who happened to be their co-burghers. The emancipation of bondsmen was never encouraged by them upon the abstract principle of natural right, but simply on the ground of a positive contract. In their own case, indeed, they admitted the rights of *suzerainty* against themselves, and resisted only the abuse of it: nor did the Swiss league claim an entire release from their lord paramount, the emperor, till some time in the last century, full 400 years after their actual enfranchisement. When Brientz sent deputies to Underwalden, suing to be received into the Helvetic League, and protesting against the tyranny of Rinkenberg, their lord; these memorable words were pronounced in the *council* of the first

founders of Helvetic liberty: "The serfs of Rinkenberg," a burgher of Berne, "may accuse him before his sovereign (Berne). The people of Underwalden do not take the part of vassals against their lord, especially when that lord is a burgher of Berne:" yet the majority of the people of Underwalden, mostly the young men, favouring the petition, granted protection to Brientz, which nearly involved them in a war with Berne. The dispute lasted fifteen years; and, although at first driven away, Rinkenberg was afterwards reinstated by compromise.

In an age which knew no medium between complete anarchy and that sort of retail legislation which meddles with each man's concerns, and leaves nothing to individual prudence and management, sumptuary laws were, of course, deemed indispensable. These laws now, however, afford us, judging from what they undertook to forbid, a glimpse of what then existed, and help us to trace thus indirectly the outlines of the antique Helvetic physiognomy. Up to the time of the accession of Zurich to the confederation, the Swiss went bare-headed, their long locks hanging loose about their shoulders, and mingling with a venerable exuberance of beard. They wore a doublet, or inner garment, with

sleeves, and over that another, without sleeves, but descending sufficiently low to supersede the use of that decorous piece of modern costume which covers the middle part of the body, and which they did not wear in summer: their boot-tops, besides, came half-way above the knee. The upper garment of the women descended much lower than that of the men, and was confined round the waist by a sash. Both men and women occasionally wore cloaks. In time a fashion was introduced of having the left sleeve of the doublet of a different colour from the rest, which colour often became a sign of party. The doublet was adorned with silk and silver fringes and tassels; and certain persons wore particular badges or symbols fastened on the breast, like modern orders, indicating, not less than the parti-coloured sleeves, the faction to which the individual belonged; and being very often precious keepsakes, the dear tokens of love and friendship, or the memorials of some solemn vow, promise, or duty. The ladies ornamented their caps with scraps of silk, gold and silver trinkets, and precious stones; but they more particularly displayed their taste in the pattern of the sash. Their shoes, or perhaps sandals, were turned up at the end, and adorned with a ring stuck on the great toe. On

all these points the government legislated, and particularly animadverted on the tightness of both male and female attire—as, in fact, displaying those beauties of the human form which they were supposed to cover and hide. The luxury of the table was also subjected to restrictions, and dancing limited to weddings, spiritual or temporal (when a woman was married, or when she became a nun). Women also were warned against the custom of addressing young men familiarly in their way to and from church; and ambassadors were forbidden to give farewell entertainments.

CHAPTER XIV.

Growth of an independent Spirit among the People—The Aristocracy—Revolt of St. Gall against its Prince Abbot—Successful Resistance of the People throughout Switzerland—Religious Independence—Invasion of the Trained-bands—Military Spirit passing from the Barons to their Serfs.

As the lower classes grew in wealth and consequence, they became more impatient of restraint. The Prince-Bishop of Basle, sovereign of Bienne, had often been obliged to yield to the burghers, or to submit his claims to arbitration, on a footing of equality with the municipal magistrates. The laws enacted for the internal regulation of that town evince the turbulent disposition of the people. They contain heavy penalties against those who should abuse counsellors or magistrates, and give them the lie in court, or insult any body in his own house; "*sit up all night on the threshold of an enemy,*" or ring the alarm-bell for seditious purposes; and finally, against those who should decline a seat in the council; which serves to show how little the situation of a magistrate must have been desirable.

At Berne the struggle was still more serious; Muller admits that the form of government, popular

in the commencement, was contracting by degrees into an aristocracy of great families, who finding the people bent upon a reform in the constitution, established a rigorous ostracism, by which any one was liable to be sent into exile 1353. for five years upon mere suspicion; and every one was bound to reveal to the magistrates such discoveries as he might make of designs against the government. No man was allowed to be about the streets without a light after the curfew; none could carry arms without leave, and the avoyer was invested with dictatorial powers in cases of sudden emergency. Imaginary plots even seem to have been occasionally contrived for the purpose of justifying such measures; and a man, who had been put to the rack in order to obtain an avowal, retracted, in vain, upon the scaffold! The successful use which Rodolph Braun had made of popular insurrection for the establishment of his long and bloody tyranny at Zurich, suggested the necessity of strong precautionary measures; but on such occasions the reform of abuses should be allowed to proceed hand in hand with measures of repression, for justice is no mean ally to power, and even when adding nothing to its strength, serves at least to diminish that of its enemies, by thinning their ranks of all the moderate and the

wise. Muller believes that it was the influence of the great council, a body at that time very popular, which, rather than any rigorous measures adopted, saved the government upon this occasion.

The aristocracy of Berne was eminently distinguished from that of the other Helvetic republics by its warlike qualities and elegant accomplishments, whilst it possessed, in common with its fellow-citizens, a certain Roman severity and simplicity of manners: but the constitution of Zurich was more favourable to what are deemed the ends of society—the development of mind, and the universal diffusion of wealth and enjoyment. Lucerne was in all points inferior to either Berne or Zurich. The people of the Waldstetten, unchanged by time, retained their pastoral simplicity, independence, and unassuming but unconquerable spirit. Situated almost upon their border, the town of St. Gall had risen by degrees, in a desert, first cultivated by the monks of the abbey, and the inhabitants were now beginning to feel impatient of the paternal authority of their prince-abbot, no longer suited to their circumstances, and protracted, as they seemed to think, beyond the limits either of necessity or gratitude. Many Helvetic towns had been emancipated, but the feudal power of Austria had gradually extended

itself over many more. Along the Upper-Rhine alone, in the country now called the Tyrol, 29 rich valleys, each with a market-town, upwards of 350 castles, and above 900 villages, had at one time acknowledged the superiority of Rodolph; but the example of successful resistance checking the spirit of tyranny throughout the whole extent of Helvetia, the people every where obtained regular charters and valuable stipulations in favour of individual safety and property. Schaffhausen particularly, first an inconsiderable landing-place, a harbour above the great fall of the Rhine, as the name indicates, early received from the Dukes of Austria a municipal constitution, which, according to the usual march of events, soon passed into an aristocratic form. Its allegiance was afterwards transferred to the empire, and it ultimately joined the Helvetic league, and became the twelfth canton. 1501.

This general tendency to shake off the yoke of arbitrary power was not less observable in religious matters, and the schism, which had so long divided the church of Rome, contributed not a little to weaken implicit faith. The bold incredulity of the Italians of the time of Boccaccio found its way even into the monasteries of the Alps. Certain mystical enthusiasts, pretending to more

spirituality than the church of Rome, rejected the resurrection of the body as gross and worldly, and too honourable for the flesh; and it is in reference to these doctrines, that Ulric of Schaumbourg, a man of great mental powers, who had educated the son of Rodolph of Hapsbourg, expressed the following grand and luminous, if not wholly consolatory, idea. "The human soul is an emanation of the soul of the universe, associated for a time to a portion of brute matter, for purposes to us unknown. Freed at last from the shackles of this perishable body, it becomes again a pure essence, untainted by mortal life, inaccessible to its transitory sensations and feelings, and is reunited to that Being, infinite and supreme in his attributes, to whom the world, with all its tangible forms, solidity and colours, is but the reflection of a single thought." Yet as men rarely stop at the rational and defensible point, it was also at this period that some zealots recommended and practised extraordinary fasting and voluntary privations of all sorts, in hopes of preparing the soul for an easier passage to its heavenly mansion.

The peace which followed the victories of the Black Prince in France, left unemployed many of those mercenary bands which the sovereigns of the time could not afford to keep in constant pay.

Alarmed at their temper and their numbers (Arnoul of Cerroli, surnamed the arch-priest, often headed a body of 20,000 men, and sometimes double that number), the Pope, Innocent VI., would fain have turned their arms to a crusade against the Turks; but the princes of the empire were unwilling to allow them free passage through their dominions. A large body, then invading Alsace, terrified the city of Basle, whose walls were scarcely rebuilt after the earthquake. Berne and Soleure immediately sent 1500 men to her assistance, and the chronicle has preserved a description of their dress. It was white, with a black bear upon it. "Friends and confederates," said the Bernese commander, addressing the Baslois as he passed their draw-bridge, "we are come to defend you to the last, and demand only to be placed in the post of danger." Three thousand other auxiliaries were hastening from the Waldstetten, Zurich, Zug, and Glaris. The "companies" informed of their approach, turned another way, fell upon Metz, and soon after entered the service of Enguerrard de Coucy, son-in-law to Edward king of England, a nobleman who, though enjoying the highest reputation for chivalrous generosity as well as valour, did not think it beneath him to appear at the head of 40,000 of these

banditti, against the Duke of Austria, under pretext of demanding the dower due to him in right of his mother. In addition to 1500 knights in armour, the flower of chivalry, in immediate attendance upon himself, De Coucy beheld in his ranks one hundred knights of the Teutonic order, with many other warriors of high birth and fame; and a body of 6000 English horse, all well appointed, and their riders clad in steel, and their helmets glittering with gold. He was likewise accompanied by Jevan-ap-Eynion-ap-Griffith, a Welsh hero, not less renowned than himself, who had defended Henry of Transtamare, and the throne of Castile, against the Black Prince. An ancient Swiss song, in which most of these details are preserved, also mentions a duke Ysso de Callis, (Wales), with his gold cap, who commanded the English cavalry. As this mixed and irregular multitude advanced along the Rhine, some of the captains being asked by an Austrian governor, what they required, replied, in terms more whimsical than exorbitant, "We want 60,000 florins, 60 war horses, and 60 dresses of cloth of gold." Yet, except when in great distress themselves, they abstained from plundering the inhabitants, and maintained strict discipline among their common men. Leopold of Austria saw no means of op-

posing this unexpected invasion. A few only, of the Helvetic towns, were disposed to assist him; and De Coucy was allowed, almost unresisted, to over-run the whole country, from the Jura to the mountains of the Waldstetten; but his army soon began to feel the want of provisions, and notwithstanding their boasted discipline, the result was a dreadful famine, and such depopulation, that in many villages, and even small towns, "there were scarcely inhabitants left," says Ischudi (that most faithful of old writers) "to keep off the wolves from their streets."

Roused, at length, by the near approach of danger, the people of the Waldstetten determined to attack the powerful host; availing themselves of their knowledge of the country, and of the severity of the winter nights, they harassed and destroyed the scattered detachments—and a hillock, called Englander-hubel (the English mound) is still marked by tradition, as covering the bones of three thousand of the invaders, surprised at Buttishotz, a place to the south-west of the lake of Sempach. The warlike shepherds returning loaded with spoil, exclaimed, with somewhat of savage exultation, *We have to-day mixed so much noble blood with the blood of horses, that the one can no longer be distinguished from the other!*

Little is known of those dreadful times, but the banditti were at last obliged to retire. They had invaded a small country with more troops than Alexander led to the conquest of Asia, yet retained permanent possession of only two or three castles.

A sort of fatality seemed to pursue the nobles of this period. Mutually destroying their lives and property in war, and in times of peace mortgaging what remained of their estates, in order to raise money to keep up, in foreign courts, that state and magnificence which they deemed befitting their rank; power, and even military reputation, were rapidly passing from them to those men so lately their vassals, serfs, or slaves; and Berne, about this time, acquired from the counts of Zaringen, the founders of their city, a large part of their remaining possessions. Yet, imitating the nobles whom they had humbled, these burghers were endeavouring to counteract *within* their walls, that equality of rank or rights for which they had so long contended without. A self-created nobility was springing up amongst them, certain families arrogating, though not always unopposed, the right of governing their equals. A sudden revolution, which burst out at Berne in 1384, restored for a while the balance of

power, by the dismissal of all the obnoxious members of the council, and by the enactment of a law intended to provide against the recurrence of similar abuses: being taught prudence by these measures, the aristocracy were careful henceforth to secure the continuance of their undefined prerogatives, by an administration equally wise, gentle, and economical.

CHAPTER XV.

Defensive Leagues formed by the Towns—By the Country People—By the Barons—War declared by the latter against the Helvetic League—Battle of Sempach.

NOTWITHSTANDING the successive emancipation of various towns and districts of Switzerland, many still remained under the yoke of feudal lords, whose deputies or bailiffs treated the inhabitants much in the manner of the Gesslers and Landenburgs of old; and the numerous class of transient proprietors who held manors and castles by virtue of a mortgage, were still more indifferent to the welfare of their dependents. Yet it was in the free towns rather than the country, that the hatred of the people against these oppressive rulers was most observable. The thriving mercer, baker, and tanner, often betraying more pride and jealousy of power, than the high-born shepherds of the Alps, although conscious of an origin more ancient than that of their liege-lords themselves. It was sufficient for the shepherds that no new tolls should be established on the road to the next market town, and no unusual service demanded, whilst the populace of the cities were perpetually

combining for the support of their immunities and privileges.

Many of the inferior chieftains along the course of the Rhine formed a great confederation, known by the name of the League of the Lion, in imitation of the towns, and for the purpose of mutual defence likewise; being exposed to injuries on the part of those more powerful than themselves. All the world feeling the want of protection against lawless violence, seemed disposed to reprove it, and yet very few who had the power declined taking justice into their own hands.

Fifty-one imperial towns of Suabia and Franconia had petitioned to join the Swiss league, but were foiled in their purpose by the intrigues of Leopold of Austria; and, encouraged by this success, he appeared more careless than ever of offending the Confederates. The latent animosity was brought to a crisis by an accidental broil in the market-place of Rapperschwyl, and the four Waldstetten immediately taking the field, under the command of Peterman of Gundoldingen, avoyer of Lucerne, attacked and destroyed several baronial castles. Leopold, although deemed a just and moderate prince, swore that he would chastise this insolence of the peasants, and in less than twelve days the Swiss found themselves at open

war with one hundred and sixty-seven lords and princes, spiritual and temporal, and beheld the number of their enemies daily increasing. Fifteen declarations of hostility were brought by one messenger, from Wirtemburg only, nine more arrived before the others could be read through, with letters to the same purport from the nobles of Schaffhausen; and, on the following day, similar defiances, to the number of forty-three, were put into their hands with affected solemnity. Nothing can give a stronger idea of the lamentable state of anarchy and confusion in which Europe at this moment was, than this ludicrous number of independent powers crowded upon a space of country scarcely distinguishable upon the map, each assuming the right of making war on their own account, and leagued against a group of republics equally imperceptible.

The republicans looked undismayed upon this host of enemies, perhaps deriving hope and comfort from their very multitude, and from the extravagance of their threats. Unmindful of the assistance which she had received from the shepherds at Laufen, and on several other less important occasions, Berne pleaded her truce of eleven years with Leopold, about to expire in a few months, and declined taking any part in the

war, for the present. "It will ever be a blot upon her fair fame," says honest Muller, "that the banner of Berne was not at Sempach." But the contingents from Glaris, Zug, Lucerne, and the Waldstetten, having rendezvoused under the walls of Zurich, where it was expected the first attack would be made, commenced, meanwhile, a predatory war, destroying many scattered castles, which, to judge from the present appearance of some of their ruins, or situation, ought to have made a better defence. On the other hand, Leopold, leaving a strong body of troops under a baron of Bonstetten, to keep the Swiss army in check, began his march for Lucerne, with the intent to chastise the rebels of Sempach on his way. The Confederates, who appear to have been aware of his design, immediately abandoning Zurich to the protection of its own inhabitants, hastened forwards to Sempach, collecting various parties of volunteers by the way, arrived there before the duke, and took their position in a wood, upon a gentle ascent north of the lake; whilst it so happened, that the troops of Berne had marched, at this very time, on some pretence foreign to the present war, to a place only two leagues distant, as it is supposed, with a view to protect Lucerne, in case Leopold had been able to proceed so far.

On the 9th of June, the Duke appeared, followed by 4000 knights* and barons, well mounted, and magnificently equipped; each baron leading his vassals, each avoyer of an Austrian town his burghers; the squires, serfs, and mercenaries, forming the infantry. Some heavy arquebusses on wheels, intended for the siege of Sempach, were the only artillery. In the enemy's ranks the Swiss could distinguish Bailiff Gessler, animated with an hereditary hatred against them. The Duke himself, in the thirty-fifth year of his age, and of a warlike appearance, rode conspicuous; Eyloff of Ems, the most loyal, and the bravest knight of the whole army, was by his side.

Whilst the common men were cutting down the standing grain, the knights paraded their prancing steeds round the walls of Sempach, insulting the burghers. A Sire de Reinach, showing a rope, called aloud, "This for the avoyer." Another desired that "The reapers should have their breakfast sent to them."—"The confederates are getting it ready," replied the avoyer from the walls. The knights, in the consciousness of their superiority, wished to chastise the rebels without

* This is Ischudi's estimate, others state their numbers at eight thousand.

the assistance of their infantry. This confidence decided the order of battle. The duke, remarking the elevated position of the confederates, and forgetting that cavalry charge with more effect up hill than down hill, or perhaps disdaining to take any such advantage, commanded his nobles to dismount, and by this ill-timed order converted them into a body of unwieldy infantry, loaded with steel, obliged to ascend the hill against men so much more accustomed to fighting on foot, and better armed for the purpose. Yet even in these circumstances the close phalanx of knights, armed with pikes eighteen feet long, which even the fourth rank could bring to bear, was almost impenetrable; the infantry formed behind, and the archers on the wings.

An old warrior (John de Hasenburg), having examined the enemy's position, warned the presumptuous nobles of its strength, and advised waiting for the corps of Bonstetten; but his prudent counsel was repaid by a contemptuous pun upon his name, which might be pronounced so as to mean *heart of hare*.

The small army of the confederates was composed of 400 men from Lucerne, 900 from the Waldstetten, and about 100 from Glaris, Zug,

Gersau *, and the Entlibuch, each detachment being arranged under its own banner, and commanded by its landamman; Gundoldingen, avoyer of Lucerne, being general-in-chief. Some of the soldiers were armed with the very pikes which their ancestors had borne at Morgarten; but the greater number carried short swords, and a small board fastened to the left arm by way of shield.

A short pause preceded the action. The Swiss, as had always been their custom, fell upon their knees, and prayed; whilst the nobles of the other party fastened their helmets, or cut off the long turned-up ends of their boots, which impeded their walking. The duke in the meantime was creating knights. It was already late in the day, and the heat was excessive, when the confederates, compactly formed in the shape of a wedge, came down with loud shouts to meet the enemy's phalanx, which advanced to the formidable sound of their own clashing armour. The shock was desperate, and the contest long and bloody. Gundoldingen himself, dangerously wounded, had already seen his son-in-law and many other brave

* The republic already mentioned, counting something less than twenty houses.

warriors fall. "Strike on their lances, they are hollow," said a voice among the Swiss; and some of the lances were by this means broken, but being immediately replaced, the Swiss gained no advantage, and their small number was diminishing every moment by the fall of its bravest men, while the corps of Bonstetten might be expected in their rear. In this extremity, Arnold Struttham de Winkelried *, of the canton of Underwald, starting from the ranks, called out, "I am going to open the way for you, confederates; take care of my wife and children." Saying these words, he rushed with extended arms upon the lances, which grasping as he fell, made a momentary breach in the line, through which, passing over his body, his companions instantly advanced. The knights, appalled and unable to manœuvre under the weight of their armour, were overthrown to the right and left before they had time to face about; and were many of them afterwards found smothered to death without wounds. The defeat of Austria was from that moment inevitable. The great banner, falling with its bearer, was upheld by another knight till he also received a mortal wound. Leopold him-

* Arnold was a knight. The nobles were not all on the same side.

self, then darting through the crowd, caught it from the dying man, waved it aloft, all stained with blood, and rallied a number of knights; but as these also continued to fall one by one at his side, "I too will die like them," he was heard to cry, and, rushing among the confederates, he was killed by a man of Schwitz; yet such was the respect borne to the imperial house, that the standard-bearer of Fribourg, with several of the enemy, who saw him die, threw themselves upon the body, to prevent it from being mutilated or disfigured, and, together with his faithful friend, perished in defending the inanimate remains. Few knights now survived, and these were left defenceless; for the people on foot in the rear, seeing the general rout of their masters, had mounted the horses and ridden away, a cloud of dust indicating their course. Of the noble house of Reinach, all the men excepting one, who had been accidentally disabled before the action, perished this day, and many other great families were totally extinguished. About sixty of the noble dead, together with Leopold, were carried to the abbey of Kœnigsfelden, where their figures in armour are still to be seen arrayed along the ruined walls; and when the bones of Leopold were transferred to the crypta nova of St. Blaise, in Germany,

some marks of the wounds by which he died were still discernible.

After remaining three days on the field of battle, the confederates returned home, carrying with them fifteen of the enemy's colours. The avoyer Gandoldingen, with 200 of their own men, were buried at Lucerne, and a religious foundation established, that masses might be said for the repose of the souls both of friends and foes *.

This memorable victory did not put an end to the contest, for within a very few days after the death of his father, young Leopold, surnamed *Superbus*, who succeeded him, with fifty of the great barons, renewed their defiances, and a desultory warfare ensued throughout the country, in the course of which many castles were destroyed, and the garrisons of some of them barbarously thrown over the battlements. Berne, which was now engaged in the war, made use of the opportunity to establish her power in the Oberland.

* A skeleton, clothed in a splendid suit of armour, was discovered in the hollow of an old oak, not many years ago, near the field of battle." Some runaway knight, probably, who after hiding there could not get out again!

CHAPTER XVI.

Battle of Nacfels—Superiority of the Burghers over the Nobles in War—Interlaken and Argovia taken by Berne—Convention of Sempach—Causes of the Victories of the Confederates—Their Alliance courted by the Nobles.

WEZEN, an Austrian town on the lake of Waidenstadt, had surrendered upon liberal terms to the people of Glaris, Zurich, and the Waldstetten; but the inhabitants afterwards retook their town, and betrayed the small garrison into the hands of the Austrians: thirty-two were slaughtered, and twenty getting over the wall, carried the news to their countrymen. In the meantime, the Austrians and their allies collected in considerable numbers at the narrow entrance of the valley of Glaris, which is embosomed in mountains inaccessible for a great part of the year. These natural ramparts, effectual against enemies, equally precluded the needful assistance of friends. The men of Glaris sued for peace, but found it was not to be obtained without submitting to their former hereditary lord. They yielded many points, and replied with moderation and respect to the scornful language of their adversary; but they did so in vain.

On the 8th of April, 1388, at night, a force of about 6000 men, composed of nobles and their followers, bearing the Austrian banner, showed a determination to force their way into the valley; at the entrance of which there was a ditch and wall extending from side to side, of which some remains are still visible. Messengers were immediately despatched to Schwitz, Uri, Underwald, and Lucerne. One party of thirty young men, and another of twenty, had already arrived before daylight the next morning from Schwytz, by the way of the Mouotta-thal and Mount Bragel; a distance which requires ten hours of unremitted walking, even in summer, and which must necessarily have presented great difficulties at so early a period of the spring. All the women and children, and as much of their cattle and effects as could be collected, had been sent up the mountain beyond the reach of danger during the night. At four o'clock in the morning, on Sunday the 9th of April, the entrenchments were attacked and carried, after a severe loss on both sides. Du Buel, who commanded for Glaris, retreating with 500 men, whom he had remaining, to another position against the side of the mountain on the left, whilst the Austrians overran the valley, intent on plunder; meantime the inhabit- 1388.

ants from all the surrounding mountains joining in small parties, fought their way on, and destroyed many of the invaders, particularly the horsemen, who moved with difficulty among the trees and stones. The sight of these new assailants pouring down upon them from impracticable fastnesses, struck the Austrians with terror; they fled, rallied again, fled again, and renewed the combat eleven times in the course of the day; each spot was afterwards, and is now marked by a monumental stone. At last their defeat being complete, they hastened in utter confusion towards the bridge across the Linth, near Wezen; but the bridge giving way, and the people behind pushing on, unaware of the circumstance, great numbers were precipitated with their horses into the river. Spurs and horse-shoes have been dug out in great quantities at the spot very recently, in making the canal of the Linth.

The natives of the valley collected eighteen hundred suits of armour and eleven banners. They buried two thousand five hundred of the enemy under heaps of soil, still visible; although the bodies of many men of rank were afterwards taken up by their friends, and carried away to the abbey of Ruti.

Such was the celebrated battle of Naefels,

which proved almost as fatal to the nobles as that of Sempach: its anniversary is yet commemorated. The names of the men of Glaris, who perished on the occasion (the most considerable only, it is presumed, as there are but fifty-one recorded) are read over, and an oration pronounced. The inhabitants of Wezen were compelled to send a deputation to be present at the annual ceremony, and to hear the provoking account of the treachery of their ancestors. A tale now told them no less than four hundred and thirty times; but at present always followed by a good dinner, to which they are invited.

The conquerors of Naefels, assisted by the troops of Zurich, and seven more of the confederate cantons, immediately laid siege to Rapperschwyl, which held for and was dependent on Austria. They were more than six thousand in number, and well provided with battering engines; yet could not take the town, defended as it was, by plebeians like themselves. And thus, in all disputes between burghers, success appears to have been very nearly balanced; but whether from some radical defect in the mode of warfare of the nobles of these times, or a superiority of enthusiasm, if not of courage in the citizens, the advantage generally remained to the latter. The

causes of so uniform a result may be found, not only in their happy ignorance of the vicious tactics of the age, but in their poverty, which precluded the use of horses and heavy armour; and in their native equality, which induced close ranks and compact order, instead of the loose and irregular mode of feudal warfare. Muller believes the ancient Swiss probably fought in clans, and shows that such was also the custom of the Greeks in Homer's time. The children of Israel likewise went to battle, each "under the colours of the house of his father." These were the tactics of nature, and probably of heroism. The feudal army likewise might be considered as classed in households, but such only as were composed of masters and slaves; without mutual enthusiasm or reciprocal attachment, without any common interest or similarity of manners, neither using the same weapons, nor even serving in the same ranks.

The records and traditions of the time inform us, however, of one *citizen*, the *Amman* of Zug, who met with a sad check at a place not far from the banks of the Reuss, where he was out-generaled by a party of Austrians, and lost the greater number of his people. The "Hill of the Dead" marks the spot where their bones lay. The con-

federates were more successful at Beuner, which was taken; and where they found in a dungeon, covered with rags, and in the lowest state of wretchedness, a bishop of Lisbon, prior of Alcantara, who, when travelling peaceably through the country, had been seized by some of the mercenary bands kept in pay by the nobles, and shut up for a long while, in the hope of extorting a ransom. The Bernese supplied him with clothes, money, and horses, to return to Portugal, from whence he transmitted a thousand ducats to assist in carrying on the war against his past oppressors.

The Bernese, who understood better than the other members of the Helvetic league how to improve opportunities of aggrandisement, now appropriated the fertile valley of Interlaken, lying between the lakes of Thun and Brientz, to themselves, and have kept it ever since. Descending the Aar to its junction with the Rhine, they next seized upon the country since called Argovie: Zurich partook a little of this grasping and ambitious spirit; but the shepherds of the Waldstetten, faithful to their antique spirit of simplicity and independence, remained within the limits of their mountains.

The house of Austria and the remaining nobles, seeing at last the necessity of peace with an un-

conquerable foe, concluded a truce for seven years, in which many contending claims were liberally adjusted; and which contained this singular provision, "that if Austria or its allies had any ground of complaint against the Confederates, the affair should be submitted to arbitrators, chosen in the canton complained of; and if, on the other hand, the cantons were plaintiffs, arbitrators chosen among Austrian counsellors should decide."

Four years after this, the discovery of a secret intelligence between Albert, Duke of Austria (uncle to Leopold Superbus), and a corrupt magistrate of Zurich, led to the banishment of the burgomaster with sixteen of his council; and to a solemn compact called the convention of Sempach, between the Confederates, for the better security of internal peace and order, and for the establishment of a more strict military discipline, and greater subordination in the field. The delay occasioned by plundering the baggage, had at Sempach, and on many other occasions, prevented a general pursuit; and to avoid this evil in future, it was agreed, that all booty so gained should go to the common stock. By another article of the same convention, women were specially protected from injury or insult,

1389 to 1415.

except when "found in arms, or raising an alarm by their cries." On the other hand, Duke Albert applied himself to repress the marauding habits of the nobles, encouraged letters, and, although he caused more than one hundred Vaudois, in Stiria, to be burnt alive, died with the reputation of a good and mild prince!

CHAPTER XVII.

Anecdote—Barbarous criminal Justice—Jews—Magistracy deemed a Burthen—Corruption of Priests and Monks—Constitutional Dispute—Crusades—Impartiality of the Towns as Umpires of the Nobles—Judicial Combat, and private Combat.

WHILST every year was marked by the extinction of some great family renowned for ages past, or by the establishment of some religious house, contributing not a little to the ruin of its founders, the Helvetic Confederates were daily rising in importance, their friendship courted, their alliance sued for, and their independence acknowledged by the surrounding nobles. Forty lordships had been purchased by them, within a very short time, from the Duke of Austria and his vassals; and one of those bargains involves a trait of primitive manners, which we record upon the faith of a national song. The city of Berne being in treaty with a certain tyrannical lord, the Baron of Thurn, for the sale of the great valley of Fentingen and of the castle, from which he exercised his tyranny, the inhabitants, as soon as they heard of the negotiation, sent to Berne to offer their assistance in raising the money ne-

cessary, engaging (whether as a pledge of their sincerity, or as a means of economy) "to abstain from the use of veal for seven years!" The notions of feudal dependence were, nevertheless, still so firmly rooted in men's minds, that although the recent truce with Austria had been concluded after a signal victory of the vassals over their reputed lord, yet were the usual dues in his favour all continued, and the privilege of appointing their own judges vouchsafed only as a special grace: criminal justice being still administered at Lucerne, Zurich, and Uri, by imperial grant, as heretofore. The principles upon which that justice was conducted seem to have been both whimsical and barbarous *. The trials appear to have been

* The following instances are taken from Muller: they relate to Zurich and Berne, the principal towns and cantons of the union. "Whoever shall detect his wife in an act of infidelity, may kill her or her lover, or both; and if he lays 18 hellers (money) on the dead body, he shall be deemed innocent."

"Sak of Berne shall be whipped and led out of the gate by the executioner for returning from banishment. If he returns again, he shall be drowned."—"Hanns, the public executioner, is banished two miles from the jurisdiction of the town, for having spoken immodestly to respectable men and women. If he returns, he shall have his eyes put out."—"The thief Schach of St. Gallen shall swear to go away beyond the Rhine, for she

carried on, in many parts of Switzerland, with open doors, or even without doors, "before the whole people," as Muller expressly says, and even possibly by the whole people: a mode liable to still greater inconveniences than any other, save that of secret tribunals.

The blind and inhuman rage exerted about this time against the Jews served to show how little

is pregnant."—"Hanns Meltenberg, for chastising a child eight years old until the blood started, shall be dipped between the two bridges, and banished for ever two miles beyond the Rhine."—"*Count* Hanns of Lavenstein, for stealing a pair of sheets, shall have one of his ears cut off, and be banished two miles from Zurich."—"Any one clipping the coin shall have his fingers clipped off, and then shall be hanged. Any one carrying money out of the state shall have his goods confiscated, and his hands cut off."

"An innkeeper having found means to procure the seal of a counsellor of Berne, who lodged at his house, made use of it to forge three obligations for sums of money, which (being supported by false witnesses) he claimed after an interval of seven years. The fraud being discovered, he was broken upon the wheel at Berne, and the witnesses 'boiled in a kettle!'"—"Unequal marriages were severely and even capitally punished. Marriages within the forbidden degree were subject to a fine."—"The avoyer or chief magistrate found wives for those who applied at the beginning of the carnival. The young people assembling for that purpose were matched by him, free persons and serfs, according to their respective ranks."

the feelings of the vulgar were to be trusted. A soldier guilty of infanticide, at Diessenhofen on the Rhine, having charged a Jew with buying or applying "to buy the blood of the child," the Jew, as well as the criminal, was sentenced to die. On hearing this, the fury of the populace burst forth upon his devoted race. Thirty-eight Jews were burnt alive at Schaffhausen and at Winterthun, and all the survivors compelled to abjure their faith. The prisons of Zurich were filled with them, and it was with the utmost difficulty that the magistrates obtained the mitigation of their punishment into banishment, with a fine of fifteen hundred florins. So atrocious an instance of violence and injustice led, however, to some important improvements in the constitution of Zurich: it being resolved that, in future, the general assembly of the people should only take cognizance of war and peace, and of questions relative to the emperor, leaving the administration of the government exclusively with the council.

Hitherto, indeed, it does not appear that the office of counsellor had been much in esteem with the burghers; and we may infer, from the numerous fines and other penalties denounced against those who should abuse or maltreat them,

that magistrates did not hold an enviable situation. When the people of Schaffhausen divided themselves into "tribes," according to their trades, they had to ask, as a favour, of the most distinguished among them, to take upon themselves the troublesome and costly functions of the presidency; and it was stipulated that no one should be obliged to serve them for longer than a year. Thus it seems, that the Venetian senators were originally called "Pregadi" (Intreated); and in England there was a time when a seat in parliament was deemed a burthen, from which individuals desired to be exempt. Arbitrary executive power was alone the object of ambition: to talk, advise, and discuss, could in fact scarcely be a valuable privilege at a period when public opinion was not of consequence sufficient to make it worth while to be its constituted organ.

At Berne, the form of government remained much more stationary than in any of the other cantons; and an aristocracy, ever heroic in the field, just, prudent, economical, though somewhat arbitrary at home, preserved unimpaired the ascendancy acquired by the first founders of the republic, and transmitted from generation to generation a moderate fortune in land, rarely

diminished by luxury or extravagance, and never increased by any species of emolument, except that arising from the office of bailiff in the provinces, or from military service abroad. The ornaments and furniture of their houses, heir-looms of the wall, and the cupboard*, costly once, but never changed, were the pride of the tenth generation as much as of the first. Large cups of gold and silver, richly carved, with devices and armorial bearings, coats of mail, and war-horses, are described with complacency in their legacies to their friends.

In all private family-concerns, the monks and nuns (bigards and beguines) had long been the chief directors; no affair of consequence, and particularly no marriage was effected without their interference; and the nuns had on this account become subject to rather an opprobrious appellation. The scandalous schism in the Romish church had drawn the attention of christendom to the many glaring abuses of the monastic orders, and brought on their universal disgrace throughout Switzerland. At Berne, a learned Dominican, Nicolas de Landau, who had studied "the great

* The value of the furniture of a Bernese patrician, called Zeguti, as ascertained by his last will, A. D. 1367, was equal to the public revenue of the city for one year.

books chained to the library of his convent," preached against these abuses with zeal and success.

Convicted of various deeds of unholiness, and threatened in their persons, the guilty thought themselves fortunate to escape, with the payment of a fine *.

At Fribourg and Lausanne the religious communities were only admonished. At Basle they were totally expelled, but they maintained their ground in Germany.

A trifling dispute between the peasants and burghers of Zug was followed by the investigation and final decision of an important federal question. The peasants claimed an equal right with the burghers, to the keeping of the seal and banner of the canton. The burghers insisted upon their exclusive right, founded on long established custom, and appealed to their confederates, as bound to protect existing institutions, when called upon so to do. The peasants denied the right of the Helvetic league to interfere in their internal concerns, and, aided by the country people of Schwytz, carried their point by force; but an army of ten thousand men, sent by the

* The priests gouvernantes only were thrown into prison, for presuming to return after they had been once driven away.

United Cantons, soon compelled them to yield, and they had, moreover, to pay the expenses of the federal troops. This right or duty, on the part of the Helvetic league, to maintain existing institutions, might in artful hands become also the power of overthrowing them; and the federal bond, too weak as it is at present, might thus be made so strong as to reduce all the governments into one. In England, or in the United States, any such quarrel as this, accompanied with acts of violence, would have led to a legal prosecution of the individuals accused of those acts, and the right of keeping the seal and banner would thus have been decided incidentally. But Swiss judges are, in fact, members of the government; their courts are considered as branches of the executive department, and therefore parties to all constitutional disputes; whilst in those countries, where the division of power is understood, the judicial department being altogether independent both of the executive and legislative departments, as also of the people, forms the natural and safe umpire between them.

We have already alluded to the waning power of the feudal lords, and to the sort of fatality that seemed to pursue them: their manners and occupations were not those that insure prosperity or

long life. Otho, the last of the powerful family of Grandson, on the Lake of Neufchatel, perished on the 7th of August, 1397, in judicial combat with Gerard d'Estravayer *. Numbers died in the Crusades. The last of the Montfaucons fell by the hand of a Janissary, in Palestine. Enguerand de Coucy, he who once threatened the very existence of Helvetia, was killed at Nicopolis. These eastern expeditions did indeed destroy many, but they ruined more: those who returned with life, often finding themselves dispossessed of their estates, or able only to redeem them by the alienation of their most valuable seignorial rights to their vassals.

Both lord and vassal were daily becoming more eager to be admitted citizens of the towns, a favour which they often obtained at one and the same time, thereby acquiring an equal right to the protection, and in case of dispute, to the mediation of their co-burghers; and thus, the very men, whose political existence as republicans, was founded upon the overthrow of feudal power, became (the Bernese particularly) umpires between their former masters and their former fellow-serfs, and in most circumstances held the

* See an account of this combat, in the first volume.

balance with scrupulous impartiality. In effect, the magistrates or ministers of those governments, which have had the most popular origin, may, perhaps, on such occasions, be best trusted with the cause of power, and least suspected of an excessive leaning towards the people. Compelled so often at home to yield their own will, and to curb their propensity to arbitrary measures, they are the more disposed to indulge in them abroad, even when it is not on their own account.

As applying to the claims of co-burghership, we have rather a curious detail of the conduct of a baron, who began hostilities against Basle with only nine men, and who lying in ambuscade to carry off some burghers, was himself taken prisoner. The diet was then sitting at Zofingen, and as he had taken the precaution to get himself admitted a burgher of Soleure, he claimed the protection of his fellow citizens, and the deputies of that town formally repaired to the inn of the Basle deputies, to request that he might be set at liberty. Upon this visit, the Basle deputies having first presented them with a cup of wine, then with toasts sopped in wine, and powdered with sugar and cinnamon, agreed to their demand, and thus ended the enterprise of the noble baron! The abuse of petty warfare was carried so far, that

single adventurers presumed to send regular declarations of hostility, in the hope of escaping the gallows, if taken in their predatory expeditions.

Judicial combats were in some cases sanctioned by law. Any individual accusing another of a crime was admitted to prove it by witnesses, or by single combat; but if he did not succeed, his adversary had a right to *trample upon* him. Any one introducing himself into a house by force after the evening bell might be killed by the occupier, and if the homicide had no witnesses, he was allowed to come into court with "Three straws of the thatch of his own roof, or his dog, or the cat that lay on the hearth, or the cock watching by the hens." The idea appears to have been, that the meanest creature or thing might be the instrument of Providence for the detection of falsehood.

Two men of Glaris, near relations, were walking together along the edge of a precipice. One of them, who was heir to the other, pushed him over. By a singular hazard the fall did not prove fatal, and an accusation was of course brought against the aggressor, who invented a counter accusation in his own defence. The parties were closely examined by the judges; both put to the rack! but each persisting in his own statement,

the truth remained undiscovered. At length the general assembly (the people) ordained that the cause should be tried by judicial combat. The two champions met in the public square before the church of Glaris, the 12th of August, 1423, entering the lists stripped to their shirts and drawers, their drawn swords in their hands. The Landamman Ischudi, and sixty judges, sat round, with the inhabitants behind them, all except the relatives of the parties. At a signal, the combatants engaged, they fought long, and for a time with very equal success. At length the innocent man was victorious, and his adversary, as he lay weltering in his blood, acknowledged the justice of his fate.

Private combats were authorized by custom in the fifteenth century, even when they had no judicial object. In 1428, a Spaniard being at Basle, called out on the public square, in the style of knight-errantry, "I am born of a noble family, I have travelled in a hundred different countries, and seen a thousand towns, but have never met with any one bold enough to measure his sword with Don Juan de Merlo." This arrogance was resented by the noble Henry de Ramstein, who threw down his gauntlet. The conditions of the combat were, that each of the knights should try

a thrust of the lance, three strokes of the battle-axe, and forty of the sword. They fought on the great square before the cathedral, in the presence of the Margrave, William de Retelm, and five other noblemen, judges of the combat. A multitude of burghers and knights having assembled from the country, extraordinary precautions were taken by the magistrates for the safety of the town. Additional guards were placed at the gates, horsemen patrolled the streets, and armed boats rowed before the town. The two champions displayed great vigour, skill, and courage, without doing each other much harm, being, of course, clad in steel, and neither had a decided advantage. Don Juan was knighted on the occasion.

CHAPTER XVIII.

Temporary Occupation of Val Levantina by the Waldstetten—Union of the Ursernthal with Uri—The Right of criminal Justice—Transferable Property—Appenzel—Its Wars—Bravery of the People—Obtains its Independence.

Some peasants of Uri and Underwalden driving their cattle to the great annual fair of Valeze in the Milanese, had their oxen and horses taken from them by the custom-house officers of the Duke Galeas Visconti. The Cantons having in vain expostulated, assembled some troops, crossed the St. Gothard, and appearing unexpectedly in the valley of Levantina, received the ready submission of the inhabitants, and returned home satisfied with having secured this important entrance into Italy. For some years they held it undisturbed, but threatened at last by the sons of Visconti, they repassed the Alps, in the depth of winter, again silenced all opposition, and secured for their allies in the valley those rights which they had originally undertaken to protect, as well as a safe and free passage for themselves. 1402.

In treating with the Italians, the Swiss, always

their inferior in diplomatic art, were sure of carrying their point another way. Happy if the possession of their citadel on the summit of the old world, satisfying their ambition, they had been contented with guarding its approaches!

The shepherds of Val Levantina having received some injury from those of Val d'Ossola or Eschenthal, the Swiss, as their protectors, remonstrated with the Milanese barons of Val d'Ossola, but were treated with derision and contempt. An immediate invasion through the wild pass of the Simplon showed to these imprudent lords the
1410. rashness of their conduct. They sought safety in flight, the whole valley surrendered at discretion, and the Swiss marched back to their mountains, leaving a small garrison at Duomo d'Ossola. But the barons having surprised and retaken the town soon after their de-
1411. parture, they crossed the Alps again, and once more established their authority, with the same success, although not without more opposition. The castle of *Facino-ean* was blown up, by means of a mine*, and the garrison buried under its ruins; the fort of Duomo d'Os-

* This is the first time that gunpowder is mentioned in the Helvetic wars. The confederates also appear to have had a great gun.

sola destroyed, and many other strong holds taken. Incapable of defending it, the nobles now sold the Eschenthal to the Count of Savoy, and this prince sending troops through the Valais, and over the Simplon, whilst Carmignola, the best general then in Italy, advanced with the Milanese forces from the southern side, the Waldstetten, unprepared for this double attack, evacuated the country.

At the northern foot of St. Gothard was another valley, the Urserthal, a fief of the emperor, but so inconsiderable, that they had forgotten to bestow the feudal investiture. After many years, a capital crime was committed in the valley, and the inhabitants then perceived, for the first time, that they had no judge to take cognizance of it. In this emergency they applied to Uri, the landamman of that canton having been constituted high justiciary by the emperor, and two judges were sent to them from his tribunal. From this time, Urseren and Uri formed only one *commune*, but the latter remained exclusively the seat of justice. It was certainly a strange perception of the right of inflicting punishment on criminals thus to imagine that it could be alienated like private property, bought and sold for a valuable consideration, or bestowed as a free gift to oblige a friend, and that the licence of a foreign prince

was necessary, and could give the right to hang a man abroad! Yet this notion kept its ground in Switzerland long after every other idea of political dependence on the emperor had been shaken off.

1402. The secluded and hitherto submissive shepherds of Appenzel were the next to assert their rights and resist oppression. The country is an insulated group of mountains, forming the left boundary of the valley of the Rhine, near that river's entrance into the lake of Constance; it had been added by purchase to the extensive tracts which Clovis, king of the Franks, originally granted to the founders of the abbey of St. Gall. Under the paternal care of the monks, the country, once a desert, long continued to advance in wealth and prosperity, until one of the abbots, abusing his power, imposed exorbitant charges upon the people, accompanied, on the part of his bailiffs, by every aggravation of insult and cruelty. It is upon record, that for their amusement, they worried the peasants with large dogs. The mountaineers long brooded in silence over their injuries, and at length a league was secretly formed between four of the principal districts. On the appointed day they appeared in arms, and the petty tyrants quickly fled, abandoning their castles. The abbot implored assistance

from the imperial towns upon the lake: an unavailing arbitration took place, but the vexations of the bailiffs soon recommenced.

Appenzel then applied to the Cantons to be admitted into their league, but was refused by all but the Schwitz; who, however, only sent an experienced officer to head them in the field, and, as it likewise appears, a landamman to direct their affairs. Glaris, precluded by her terms of union from forming a separate alliance, did not prevent 200 of her young men from engaging in the war. The result was, as on all similar occasions during the last hundred years, favourable to the patriots. With an army of 2500 men, they defeated their opponents at Speicher; after which, feeling able to defend themselves, the men of Appenzel dismissed their friends, with 600 suits of steel armour and four banners, as their share of the booty; and might now perhaps have terminated, by compromise, the feudatory war, which still continued, had not the Duke of Austria declared his intention of defending the abbot, and of marching with his vassals, and those of the nobles of Thurgovia, to humble the insolent shepherds. They, however, had also found a valuable auxiliary in Count Rodolph of Werdenburg, of the race of Montfort—a man of high

1403.

reputation, and inimical to the Duke for some offence committed against his family. Having fortified the passes of their mountains, under his direction, they awaited the attack of the enemy, which commenced in two places on the
1405. 17th of June. One division of the Duke's army, which had come round by the Rheinthal, forced the entrenchments at the foot of the Stoss under Gaiss, and began to ascend the hill, by paths now rendered slippery and difficult by heavy rain, whilst the shepherds were rolling down trunks of trees and stones collected for that purpose, and fighting, whenever they came to close encounter, with the most desperate valour. One man, Uly Rotœch by name, planting his back against a chalet, sustained alone the attack of twelve assailants; and, after killing five of them, suffered himself to be consumed with the building, to which they had set fire behind him, rather than surrender. The assailants were already exhausted by a laborious ascent over grounds so well defended, when Count Rodolph and his men, barefooted, in order to tread more surely upon the wet grass, left their positions, and came down with loud shouts to meet them. The charge was, however, received with great steadiness, and the ground

disputed for six hours longer, until a stratagem induced the Austrians to retreat: the women of Appenzel, disguised like men, appearing in great numbers among the woods and precipices on their flank, were mistaken for fresh troops about to turn them. Embarrassed on their retreat by the entrenchment they had passed in the morning, the Austrians were at length thrown into disorder, and a great carnage ensued. In the mean time, the Duke himself, at the head of the other division, had penetrated to the town of St. Gall, but found himself unable to take it, or to advance further, and was on his return exposed to the attacks of the enemy, who watched his motions from among the fastnesses of the Hauptlisberg, and lost many of his noble followers. Unwilling to leave the country without taking signal vengeance for the double disgrace his arms had experienced in one day, he feigned soon after a retreat towards the Tyrol, and, turning suddenly to the right, began to ascend the Wolfshadde, towards the village of Appenzel; but the people, secretly informed by a woman about the camp, were prepared to receive the Austrians, killed at least ten men for every one of their own that fell, and gave them a final repulse. The Duke, in despair, returned to Inspruck. Their warlike

achievements raised the fame of the men of Appenzel even above that of the other Swiss, and their alliance was now sought after by all their neighbours: with St. Gall they made a treaty, offensive and defensive, for nine years, exception only being made on the part of St. Gall, in favour of the imperial towns, during one year, on account of a truce between them; and, on the part of Appenzel, in favour of Schwytz, on account of their perpetual co-burghership with that canton. Both parties reserved the rights of the Germanic empire, which were yet held paramount.

The men of Appenzel and of St. Gall now retaliated at leisure upon the Duke of Austria for his unprovoked aggression. Sixteen hundred of them overran his lands, and those of his vassals, along the course of the Rhine, on the lake of Wallenstadt, the lake of Zurich, and in the Tyrol, nowhere opposed by the peasants, who probably favoured their cause in secret *. They testified their gratitude to the Count of Werdenburg, by reinstating him in the patrimony taken from him by the duke; and to their good allies of Schwytz, by the gift of a valuable tract of land between the

* An Austrian banner taken by the Appenzel men on some occasion had written upon it, "*The devil take us if we do not beat these clowns!*"

lakes of Wallenstadt and Zurich, being a part of their late conquests.

The confederated Cantons, far from entering frankly into the war, and supporting Appenzel and St. Gall in their invasion of the Tyrol, where a bulwark of hardy republics might have been formed sufficient to shut out the Germans from Italy for ever, forbade the acceptance of their gift to Schwytz, as likely to involve them in the war.

The conquerors were compelled to retrace their steps; yet they did it so leisurely, that they took and destroyed all the castles in their way. Having reached their mountains in safety, the men of Appenzel employed the long winter nights that ensued, in recounting the achievements of the late wonderful campaign, whilst they prepared for the next by giving a new point to the halberd and a fresh edge to the sword. They needed no other weapons — strength of arm was their ordnance, the enemy's country their magazine. Such was the simplicity of their habits and manners, that on one occasion they carried away some casks of pepper found among the plunder, but abandoned a quantity of plate, as less to their taste.

The men of St. Gall had other cares: the abbot having withdrawn himself, carried away the relics, and left no priests to perform the service. Determined to have redress, they marched in sufficient force to Wyl, where the abbot was, besieged, and finally brought him back to say mass against his will. Humbled by a long course of ill-fortune, the abbot, resigning himself to his fate, entreated the council and landamman to take him under their protection.

For five years the confederated peasants pursued their extraordinary tide of success; but being at last defeated before Bregenz, with a heavy loss of men and battering engines (one of which threw stones half a ton in weight), they consented to refer their cause to the Emperor; and accordingly appeared, as well as the deputies of Austria, at Constance, the ensuing spring. The defence they made in the court was not unworthy of their prowess in the field. They stated their grievances, their long sufferings under the bailiffs, and the partiality of a former judge. "When we refused to submit to an unjust sentence," they said, "we should have been cited before the Chief of the Empire;" (always the empire) "instead of which they made war upon us: what could we do but

defend ourselves?" Four imperial commissioners conducted the inquiry, which lasted three weeks; and, without condemning the resistance of the peasants, they declared the example so dangerous, that the alliances they had entered into were annulled: seignorial rights were reinstated, but no damages were awarded for the ruined castles, not to be rebuilt without leave from the Emperor. The peasants appeared to submit to a decision with which they were far from satisfied, well assured of maintaining in fact their independence.

CHAPTER XIX.

The Duke of Austria invades the Valley of the Rhine—Appenzel admitted into the Helvetic League—The Eight Cantons and their Allies acknowledged, after a War of one Hundred Years—Great Schism, and Council of Constance—Duke of Austria's Territories seized by the Swiss—John Huss and Jerome of Prague—The Pope and the Emperor travel through Switzerland.

No peace could be very lasting in those times of restless activity, nor any war waged very long. Frederick, Duke of Austria, entered the Rheinthal again, with an army of seven thousand men, reinforced afterwards to more than double that number, intending to take it from the Count Rodolph of Werdenberg, the ally of Appenzel. The inhabitants set fire themselves to such of their towns as they could not defend, and retired into the mountains. The invading army was commanded by the Duke in person, and attended with numerous bands of music and a multitude of women. The Duke, mounted on a caparisoned steed, displayed, with complacency, the martial graces of his fine person, in a complete suit of armour, at the head of his knights, scarcely inferior to him in the splendour of their cumbersome accoutrements. They paraded up and down the

valley of the Rhine, assisting the inhabitants in the destruction of their own dwellings, but did not venture to follow them into the mountains on either side: the duke retired in the same order he had come, at his own time, and could boast he had not been beaten.

It was of great importance for the people of Appenzel to be admitted into the Helvetic confederacy, and they were at last made perpetual coburghers of the other seven cantons, although not on equal terms. They were to assist the confederacy at all times and on all occasions; but the confederacy was not to assist them, unless they approved of the war in which they engaged: some such inequality was observable in most cases where a new canton was admitted.

The prince-abbot of St. Gall dying, his successor made peace with the town, but 1422. against the men of Appenzel he renewed the ban of the empire and the papal excommunication; both of which, however, finding that their cattle continued to thrive as usual, the herdsmen soon learned to disregard.

After some years of uncertain warfare, the dispute was referred to fourteen arbitrators (named by Zurich, the four Waldstetten, and Glaris), who, after sitting nearly a twelvemonth, came to a de-

cision of which both sides complained; although the abbot, being the weakest, was willing to abide by it, whilst the men of Appenzel, defying both their adversary and their arbitrators, declared that their mountains might be made their graves, but that they would not yield with life. This pertinacity brought upon them a dangerous enemy, Frederick de Tokenburg, the most powerful baron of the Rheinthal, an ally of the abbot, and likewise a burgher of Zurich, to which town not being able to persuade Appenzel to appeal, he, in alliance with Schwytz, proceeded to hostilities, and in the course of one campaign having been victorious in three battles out of five, brought the stubborn republicans to consent to a treaty, formed on the basis of the previous award, which finally settled all contending claims.

1429. About this time the house of Austria, making a last effort to reduce Basle, assembled the forces of more than 250 barons and imperial cities before the town, which at first reckoned only 5000 warlike burghers, but the number was rapidly increased by granting the same character to every one who joined them with a coat of mail, an open helmet, and iron gloves. On their part, the besiegers created a great number of knights; yet, soon exhausted by the efforts

of a single campaign, they concluded a hasty peace, without having accomplished any of the objects for which they had begun hostilities. The imperial towns, which had been unwillingly drawn into this war against Basle, now entered into a league against the nobles for common defence, and the protection of their burghers travelling in foreign countries. This sort of individual protection was so effectual, that the people of Zurich having learned that an inhabitant of another town, whom they had made their coburgher, was detained, on that very account, a prisoner in the territory of Kibourg, sent secretly a party of eighty horse, who carried off William de Montfort, lord-mortgagee* of Kibourg, as he was out on a boar hunt. They also seized some burghers of Winterthur, and several nobles of Schaffhausen, shut them up in the tower of Zurich, and detained them as hostages more than two years, and until the release of the other party. After lasting more than a century, this state of incessant warfare was finally checked by truces concluded for fifty years between the house of Austria and the Swiss, by which the eight cantons, and their allies of Soleure and Appenzel, were acknowledged, and their con-

1412.

* Feudal proprietor by right of a mortgage.

quests secured to them; a mode provided for the arbitration of future differences; and the feudal dues of Austria declared redeemable by purchase; sixteen neighbouring towns of the hereditary dominions of Austria desiring to be included in the peace.

For more than thirty years a schism had divided the christian world; three rival popes, or rather three distinct lines of popes, at one time contending for the tiara, had hurled upon each other's heads the thunders of the church, and doing it in vain, only brought the sacred weapon and themselves into contempt. In order to put an end to this unparalleled scandal, and likewise to reform the gross abuses then practising in the church, Sigismond, Emperor of Germany, assembled a general council at Constance. John XXIII., one of the popes, attended; but dissatisfied with the turn affairs were taking, he fled secretly, and was followed by Frederic, Duke of Austria, who, out of opposition to the emperor, supported his cause, and had expected to divide the council, but the influence of the emperor prevailed; and the council adding fresh scandal to all that had gone before, excommunicated the pope! Frederic was likewise excommunicated, and put under the ban of the empire; his vassals were released from their alle-

giance, and those of the empire were ordered to seize his person and his property wherever found. The material part of the sentence (against his possessions) was carried into full execution by Berne principally, and by Zurich and Lucerne; but to the summons of the emperor, the Waldstetten answered, with exemplary generosity, "that having lately sworn a peace for fifty years with their former enemy the Duke, they could not think of breaking their oath merely because he was unfortunate."

Seventeen towns and castles, a rich and extensive territory between the Aar and the Reuss, called Aargau, fell to the share of Berne; Zurich took possession of another valuable tract contiguous to their own lake, and extending as far as the Reuss, Lucerne had a small share, and even the Waldstetten overcame their scruples, so far at least as to give themselves the pleasure of burning down the castle of Baden, where every attack against their liberty during the preceding hundred years had been planned by the ancestors of Frederic. In one week he lost what it had taken his family two hundred and fifty years to acquire. Switzerland was of course esteemed the gainer by these changes; but the great inequality thus introduced between the cantons afterwards occa-

sioned jealousies, and disturbed their union, the aristocracy of the great cantons becoming too rich and too proud for the simple Waldstetten. Although made by his express orders and those of the council, Sigismond appeared to hesitate about confirming these acquisitions to the confederates, until the gift of 4500 florins dissipated his objections.

The council of Constance deposed one of the popes, obtained the voluntary resignation of another, and overlooking the obstinacy of a third, who was sheltered and protected by the King of Arragon, elected a fourth, whose first act was to break up the assembly.

The reform of the church, the main object of their being called together, was referred to the next council, to be held in ten years! and thus a meeting, the most numerous and solemn ever held in Europe, attended during three years and a half by four hundred and thirty-eight deputies of the church, by representatives from most sovereigns *, and by the emperor in person, did scarcely any thing by which it is now remembered, except detaining John Huss, against the faith of an imperial passport, and burning him alive with Jerome of

* The council had attracted to Constance one hundred thousand strangers, who kept thirty thousand horses.

Prague. The last few words of the latter, when at the stake, live in the memory of man, while all the speeches uttered in the hall of the council are forgotten*.

The new pope, Martin V., traversed all Switzerland in his way to Italy, and the chronicles have preserved a detailed account of the honours paid him in the different towns, accompanied with patriarchal offerings. The Bernese alone presented him with a hundred and twenty-five bushels of the best wheat, forty of oats, eight butts of costly wines from Burgundy and the Rhine, eight fat oxen, forty sheep, poultry, fish, white bread, and wax tapers. He staid ten days among them, and went away blessing their piety, little dreaming what infidels they were to become at no distant day.

Before the meeting of the council, Sigismond had performed a similar journey, and had been entertained with equal zeal by the magistrates of Berne; but the bill of costs of the imperial visitor's

* The executioner was setting the pile on fire behind Jerome of Prague, that he might not see it.—"*You may light it before me,*" he said; "*had I been afraid, I should not be here at this hour!*" Poggio's Letter to Aretino. And those more than heroic words, when he saw a woman bringing a faggot to add to the pile, *Sancta simplicitas!*

entertainment exhibited some very curious items, which do not appear in the case of his holiness, nor could with any regard to decency. The liberal attentions of the Bernese suited the taste of his majesty, for he expressed himself highly pleased ever after. An illustrious Italian, Poggio, attending the council of Constance, has left amusing details of the innocent grossness of the national manners at that time; which, however, should be read in Latin.

A few months after the separation of the council, numerous troops of foreign adventurers appeared about the country; they spoke an unknown language, and their complexion as well as general appearance marked them from the south: they were crafty, and lived by begging and theft. This seems to have been the earliest appearance on record of the people called Bohemians on the continent. Ischudi and others mention them as incredibly numerous at first, but seem to have been altogether at a loss about their true history—their ignorance on a point which had attracted such a share of attention is characteristic of the age. The analysis of the language of these people has since proved that they were a tribe of Hindoos (Zigheunes).

CHAPTER XX.

Matza, a kind of Ostracism—War of the Hussites—The Swiss surprised by an Italian Army, eight Times their own Number—Peace with the Duke of Milan.

About this time the people of the Valais entertaining, probably not without serious cause, a strong feeling of resentment against their captain-general, Wischard, Baron of Raron, chief of one of the oldest, proudest, and most powerful families amongst them, commenced proceedings against him by a species of ostracism peculiar to the country, and called La Matza, or Mazza, from the heavy club, or mace, cut at one end into the form of a man's head, which was carried about as a rallying point for the enemies of the obnoxious individual. Every person disposed to enter the ranks against him planted a nail in *la mazza;* and Raron soon saw his castles assaulted, plundered, and burnt; his lands confiscated, and himself reduced to fly for his life. His coburghers of Berne, occupied by the council, and indignant besides at his former refusal to join them against the Duke of Savoy, delaying to assist him, he negotiated once

more with the duke, which served but to exasperate his opponents still further, and to procure for them the co-operation of the Waldstetten, who had not forgiven the loss of the Eschenthal, taken from them in consequence of the free passage through the Valais, formerly allowed to the Savoyard troops by this very Raron. Berne, however, at length deciding to take part in his favour, the Helvetic league was involved in a civil war, short but sanguinary, in which the confederates performed prodigies of valour, and did infinite mischief to one another, and which was terminated by a very unsatisfactory arbitration, fraught with occasions for future quarrel.

The violation of the safe conduct in the person of John Huss, and the cruelty of his fate, produced grievous results, and a very perverse illustration of the aphorism, that "the blood of martyrs is the seed of faith." A set of enthusiasts, calling themselves Hussites, and professing to believe that John Huss had been the victim of an impious struggle between the antichrist and the Divine Being, appeared in Bohemia; and, carrying his tenets to an insane exaggeration, declared their resolution to extirpate the corruption of the flesh, and to enforce the thorough reformation of the church by fire and sword. The excesses which, acting under

these ideas, they committed, were most atrocious; and all efforts to check them proving vain, a crusade was preached, and the forces of Germany mustered against them, but to no effect. An army of 150,000 men meeting them near Saaz, was defeated before they drew the sword, by the sole terror of their name. A second and a third army encountered the same disgrace. Ordinary mortals were no match for men, who courted danger and suffering in the good cause as the first of blessings, and who, regarding death in battle as a passport to heaven for themselves, gave no quarter to others. Ziska, their leader, considered himself, like Attila, as an instrument in the hand of Providence for the chastisement of mankind. During eighteen years they remained masters of Bohemia; but it does not appear that they ever extended their ravages much beyond it; and at length their fanatic spirit, though inaccessible to fear, and unconquerable by force, was gradually soothed and dispelled by the persuasions and concessions of the council, which continued during sixteen years sitting at Basle.

Italy was the theatre of the first unsuccessful war of the Swiss. The Duke of Milan had surprised and retaken Bellinzona, and the whole valley Levantina. The cantons, A. D. 1422.

Berne excepted, undertook to regain possession of it, and sent their small army over the St. Gothard. A division, composed of the troops of Lucerne, Underwald, Uri, and Zug, advancing with too little precaution, found itself surrounded by forces vastly superior, commanded by the celebrated Carmagnuola. Some lurking discontents had probably prevented the main body from supporting the advanced guard with alacrity. Ischudi, landamman of Glaris, alone* flew to their assistance with his own people, and reached their camp in time to be in the battle, where he lost his life. The confederates, about 3000 strong, were attacked at nine o'clock in the morning, on three sides at once, by an army eight times their own number, and bore the repeated charges of both horse and infantry for many hours without ever giving way. The landamman of Uri, the amman of Zug, several bannerets, many counsellors of the different cantons, soldiers in war as well as magistrates in peace, perished in this unfortunate battle of St. Paul. The banners, several times in the hands of the enemy, were always rescued, and that of Zug, stained with the blood of the first magistrate of the republic and of his son, who had perished

* He had been continued in that high situation thirty-eight years.

successively in defending it, was still shown in their town a few years ago.

The Condottieri, who made war their trade, and were in the habit of sparing each other when they met on adverse sides, had never experienced such fighting before. As they were defended by their armour, the Swiss aimed at the horses, but gave them no quarter when brought to the ground! Towards night, a party of six hundred Swiss foragers appeared in the rear of the Italians, who, thinking it was the main body of the enemy, retreated, and shut themselves up in Bellinzona, leaving their stubborn adversaries in possession of a field covered with the remains of their best warriors. While the Swiss were deploring their loss, the rest of the army came up, and mutual were the upbraidings for rashness on one side, and backwardness on the other. They had no means of carrying on a siege, and no provisions, and, after offering battle to the Italians for some days, they retraced their steps slowly over the Alps. On their return, the troops of Lucerne traversed the lake in two boats instead of seven, which they had filled on their departure. The two banners of their town still floated over them; but a Milanese banner, which they had taken, was not unfurled, and sadly silent was the reception that

awaited them on the shore, the magistrates having ordered the women and children away to their houses, that, when each family should know the extent of its losses, the landing might not be disturbed by unavailing lamentations.

Three years elapsed before the cantons could resolve on another attempt. Berne declined, and the rest of the confederates returned from the expedition without effecting any thing; but a party of 500 volunteers, repassing the St. Gothard, unexpectedly surprised Bellinzona, and, driving away the Milanese soldiers, occupied the place. They were soon after closely besieged, and the garrison threatened with the gallows if they did not capitulate. In this extremity Berne was moved by a deputation from the Waldstetten. Their venerable magistrates, in long white beards, spoke before the council, recalling Laufen to their remembrance, and beseeching them not to abandon their countrymen in the hour of need.

Twelve thousand men at length marched to their relief; the passages, warmly defended this time, were forced, and the valleys of Ossola and Levantina retaken. Yet they were given up again for a sum of money, reserving only a free passage to Italy.

The perfect equality and simple manners of the

Waldstetten secured their internal peace; and, as of other happy people, history takes little notice of them; but the cantons, which had large towns, and in particular commercial towns, exhibited a greater variety of events. We find the ancient feudal nobility in their neighbourhood, struggling ineffectually against gradual decay, while industry elevated obscure families of citizens to wealth and consequence. Nor were the latter inferior to the former in chivalrous qualities, since they proved generally victorious in their quarrels with the nobles—quarrels of which it is scarcely possible to follow the thread, or to enter into details of a warfare so often contemptible in the object and in the means.

CHAPTER XXI.

League of the Grisons—The Swiss govern their Subjects arbitrarily—Count of Tokenburgh—Civil War—A great Plague—Zurich obstinate and overpowered—Several Barons adopt the Policy of granting liberal Charters to their Vassals—Uri takes Val Levantina—The Armagnacs.

A REVOLUTION, similar in many respects to that of the Waldstetten in 1307, took place in Upper Rhetia 118 years after. Muller relates, on the authority of a writer of the sixteenth century, instances of wanton outrage and barbarity on the part of some of the bailiffs, exceeding in folly and wickedness what is reported of the Austrians in the Waldstetten. The people rose at last, and entered into a league for common defence; but those of the nobles, who agreed to the stipulation, were admitted members, and preserved their pro-

1424. perty. The first meeting was held at the village of Truns, on the left side of the Rhine, under *the great lime tree*, which flourished still in the year 1787. The abbot of Disentis was present with five barons and counts, and the representatives of seventeen valleys or districts, including a considerable extent of country, known

by the name of the *Grisons**; derived from the gray colour of the high Alps among which it is situated.

Those of the cantons, who had acquired new subjects, were generally involved in disputes with them: Lucerne particularly with the people of the Entlibuch, who finding they had not gained by the transfer of their allegiance from a Duke of Austria to the aristocratic burghers of a Swiss town, rebelled against them, but were compelled to submit, and punished by a fine. "*Men of Uznach!*" said the burgomaster of Zurich to the people of that small town, whose allegiance he claimed after the death of Frederick, count of Tokenburgh—"*Do you pretend to resist? Know that you, your town, your goods, ay, your very bowels belong to us!*"† "*We shall see that!*" replied the others.

This Count of Tokenburgh was the most powerful of the nobles, from Zurich to the frontiers of the Tyrol, and an artful politician; aware of the aspiring spirit of the times, and unwilling to allow his serfs and vassals a share of inde-

* We shall give a fuller account of that country in another place.

† This rather atrocious speech alluded probably to the circumstance of Uznach being dependant upon the market of Zurich for its supply of corn.

pendence equal to their wishes and expectations, he felt the necessity of strengthening himself, but saw no security in the alliance of men of his own cast. That of the cantons presented the best security, and the aristocracy of some of them was not uncongenial with his own notions of power: he became, therefore, a burgher of Zurich for life, and had reaped the fruits of this wise measure for thirty years, when a trifling, yet curious incident clouded the long established friendship. Rodolph Stussi, burgomaster of Zurich, a man of great abilities and influence, had sent his son to learn manners at the court of Tokenburgh, where the nobility of Austria, Rhetia, and Helvetia were wont to resort; but the young man had none of the qualities of his father except his pride.

The son of the first magistrate of Zurich was at that period and in that court a person of great consequence, and the slights young Stussi experienced from other young men were altogether due to his own folly and defects; yet they were misrepresented to the burgomaster, his son was re-called, and the government of Zurich ceased to be friendly to Frederick. At his death without heirs, disputes arose among the nobles, as also among the cantons, about the rich inheritance: but it is worthy of remark, that his serfs and vassals seemed in ge-

neral to prefer having the Austrians for masters rather than the cantons: by purchase, or otherwise, they might hope to redeem themselves from the one, but never from the others. Zurich on one side, Schwytz and Glaris on the others, were the principal competitors; they quarrelled, but Zurich was the granary of Schwytz and Glaris, who depended on her market for their supply of corn: taking advantage of her situation and of the scarcity, Zurich attempted to starve her adversaries into compliance; they in their turn laid violent hands on several boats loaded with grain. The Swiss diet, which had assembled at Baden for the purpose of reconciling differences, separated without success: Zurich was afraid of trusting to their decision, conscious of being an object of jealousy, and that Schwytz and Glaris had a better chance. Another, and still more solemn assembly of deputies from all the cantons met at Lucerne; where the good Swiss reviled each other in the style of Homer's heroes: specimens of their speeches are given by Muller.

Meanwhile the plague, which had caused such dreadful ravages about one hundred years before, (1345 to 1349) broke out again at this period after several years of scarcity, amounting, in many places, to absolute famine. A. D. 1439.

The populous city of Basle suffered first, but it remained uncertain whether the malady had been brought by some of the strangers, who resorted there in great numbers for the purpose of trade; or had been generated by local sufferings, and the unwholesome food with which the lower classes had been reduced to appease their hunger. The contagion spread rapidly throughout the country; there was no family, who had not to mourn some relative. Berne lost eleven hundred inhabitants, Zurich three thousand, being a fourth of the population within the walls; Constance, four thousand. The council sitting at Basle would have been dissolved by the death or flight of all the holy fathers, but for one, the cardinal of Arles, who remained at his post. Unfortunately those who fomented the quarrel at Zurich, the burgomaster Stussi, and a few others, were spared by the plague; and it had scarcely begun to subside, when the angry debates carried on for several years were resumed. Schwytz and Glaris showed an entire submission to the decisions of the Helvetic diet; but Zurich evinced an obstinate determination to be sole judge in its own cause, and a general civil war became inevitable. Troops had taken the field on both sides; the hour of battle drew near, but the warriors of Uri

and Underwalden, still hesitating at the thought of the unnatural contest in which they were about to engage, had formed themselves into a general assembly to deliberate, (the sovereignty being supposed to be wherever the banner of the state floated,) when by one of those touches of practical eloquence, which carry away a simple but energetic people, Warner, standard-bearer of his canton, cut short the debate. Stepping forward, he called out, "here is the banner of Uri; shall it come forth against those who submit to the judgment of the league, and in favour of those who rebel against it?" a declaration of war against Zurich was instantly proclaimed, and all the cantons followed the example*. The people of Zurich seeing themselves thus reprobated and abandoned, were seized with terror; the army, panic-struck, fled on the eve of the first engagement, although superior in numbers, and shutting themselves up within the walls of the town, abandoned their own and their subjects' territory to the enemy. But

* The messenger who carried the declaration of war of Schwytz to Zurich met the army of the latter already in motion, when he delivered his letter: it appears to have been the custom to carry declarations of war at the end of a stick—this unlucky messenger having it in his pocket, was unmercifully beaten by the rude burgomaster and counsellors.

the hand which chastised was now held out to raise the fallen, and the fury of Schwytz and Glaris was restrained by the other confederates: a treaty of peace, dictated by the latter, restored the parties nearly to the situation where the award rendered before would have placed them, the waste and destruction of the war excepted: thus evincing a degree of forbearance worthy of a more enlightened period.

During these transactions the Baron of Raron and others, who had obtained from the emperor the investiture of many of the imperial fiefs of the late Frederick de Tokenburgh, thought fit to grant the most liberal charters to their vassals; the burghers were allowed to elect their own magistrates, serfs could marry without special leave and dispose of their property by sale and by will, or leave the land without incurring forfeiture; no one was to be imprisoned, who could give bail; taxed or punished but according to law. Muller remarks with reason, how easy it is to come to an understanding when the parties are so disposed: the new lords felt the necessity of conciliating the goodwill of their feudal dependants, and were before-hand with their wishes; while Zurich happened not to be equally convinced of the necessity of submitting to the dictates of justice, and

reason, which agree generally with our own interest well understood.

The people of Uri, on their return from the campaign against Zurich, learnt that some of their co-burghers had been denied justice by the Milanese tribunals of Airolo and Bellinzona, in contempt of the conditions upon which they had relinquished these conquered places. Availing themselves of so fair a pretence of recovering what had been given up too easily before, impelled besides by that feeling of jealousy, which the unequal division of the spoils of the excommunicated Duke of Austria had created among those cantons, which had the least, or rather no share in it; and looking to an equivalent on the south side of the Alps, they passed the St. Gothard immediately, descended into the valley of Levantina, and took it without difficulty, as well as Bellinzona.

After the battles of Crecy and Poictiers, we have seen mercenary bands united under the command of the Sire de Coucy, overrun the country along the Rhine and ravage Switzerland; sixty years after this, the peace between France and the Low Countries let loose upon the world similar bands of lawless freebooters. Bernard, Count d'Armagnac, constable of France, one of

the best generals of the age, employed them in the service of the house of Orleans; and though he perished soon after in a popular tumult at Paris, they retained his name and were called Armagnacs. When they ceased to be kept in pay for regular service, they carried on the business of war on their own account, with a degree of rapacity and inhumanity, which knew no bounds, and procured them the name of *ecorcheurs*. Amadeus de Savoy, although a brother-in-law of their former commander, saved his dominions only by the timely assistance of Berne: disappointed there, they turned northwards; twelve thousand of them passed the Jura in a winter's night, and extended their ravages along the Rhine, half roasting the peasants who were taken with arms in their hands, and then turning them loose to perish in horrible torments; a warning to those who opposed any resistance. They cut off the heads of those who had nothing to give to redeem themselves, respecting neither age nor sex, and reserving only handsome women for their brutal pleasures: a train of six hundred of these wretched captives followed them. The Swiss, suspending their internal disputes, hastened to the assistance of Basle, and the Armagnacs regained France by the way of Alsace.

The successful coalitions of burghers obliged the nobles to form leagues for their own preservation; they had in some degree changed situations with the lower classes, and after being the oppressors had become the oppressed. The lessons of misfortune had not been wholly lost upon them, and the knights at this period frequently appeared on the side of justice and good order.

CHAPTER XXII.

Zurich joins the Emperor in a War against the other Cantons: attacked by them, the Burgomaster Stussi is slain—A French Army comes to assist Austria—Celebrated Battle of St. Jacques—Battle of Ragatz—General Peace—Acquisitions made by the Cantons.

A NEW emperor, Frederick III. of the house of Austria, had been elected, and very early announced the intention of recovering the Aargau, and other possessions of which his ancestors had been dispossessed. The vindictive burgomaster of Zurich, Stussi, who had not forgotten the humiliating result of his appeal to arms, and was ready to sacrifice the Helvetic confederacy to his revenge, secretly negotiated with him.

This young emperor, highly gifted by nature, the hope of his subjects, and surrounded by a magnificent court*, enjoyed the homage of his

* The Elector of Saxony was there, with a suite of 500 horse—his knights and their squires resplendent from head to foot with gold and silver—besides fourteen *messengers* finely mounted. The Count Palatine had double that number, forming the finest troop ever seen. The Duke of Berg had 800 men; the Bishop of Liege 400; but the Elector of Cologne had the finest escutcheons, &c.

vassals assembled to receive the investiture of their fiefs.

The deputies of the Cantons appeared in their turn, but were told that their franchises would not be confirmed by the emperor, unless they acknowledged the rights of his house to the Aargau: it was in vain for them to represent that their business was with the emperor, and not with the duke of Austria. Frederic, during a journey he took over Switzerland, in order to strengthen his interest, and to divide the confederates, secured Zurich firmly. Its burghers appeared on the borders of Schwytz, with the red cross of Austria on their breasts; which provoked the people of the Waldstetten so much, that they made it death for any body to carry in his cap a peacock's feather, because its colours were those of the duke *.

The repeated efforts of the confederates to effect a reconciliation proving vain, war was declared on the 19th of May by Schwytz and Glaris against Zurich and the duke, and hostilities immediately began. Every vassal of Austria sent his declaration of war, even mere military officers.

* While some soldiers were drinking together, one of them, observing the prismatic rays through his glass, broke it in pieces with his sword, because so like the hated feather.

One of these curious documents was signed by fifty-two subalterns. The third day of the war was marked by a brilliant action, in which the losses were balanced; but there was soon after a second, more sanguinary, and with decided results. Stussi, at the head of a small army, composed chiefly of Austrian cavalry, advanced from Zurich by the Albis, intending to reach Schwytz by Zug and Art, while his infantry occupied a strong position on Mount Hirsel to protect his rear. The allied Cantons turned this position by roads almost impracticable, and reached the entrenchments towards the close of the day. It was not intended to begin the attack till the morning; but the taunts of the enemy kindled such a fury among the men, that, carrying their officers along with them to the assault, and passing over the dead bodies of their own people, which soon filled the ditch, they scaled the palisades, and slaughtered the garrison. Those who escaped in the dark, carrying the news to the main body, determined an immediate retreat back again to Zurich; the knights and the burghers reproaching each other bitterly for the want of success of this first measure of their unnatural alliance. The victors passed a melancholy night, among the dead bodies of their

1443. 24th May.

friends, of their most illustrious warriors, and respected magistrates: the return of day found them mourning over their remains.

The united forces of the Waldstetten and those of Zug and Glaris now overran the territory of their enemy, repeating the scenes of devastation and bloodshed of the civil war three years before. The anecdotes which have reached us present a monstrous picture of manners, in which superstition and profaneness, heroic virtues and coarse vices, were blended together. Although so devout to their own Madonna of Einsidlen, we find the confederates kicking those of the enemy out of doors, and calling them w—— for wearing the hated peacock's feather in their caps; pouring out the holy water and the oil into the kennel, and casting the consecrated wafers to the wind; reviling the priest at the altar, and violating women in the very churches. Berne wished to avoid this war, yet sent her warriors, hoping their presence might contribute to the restoration of peace: but an harangue of the deputies of Schwytz, in which Laupen was happily introduced, made such an impression upon the Bernese soldiers, that all thoughts of a prudent neutrality were suddenly abandoned, and war proclaimed without regard to the situation of d'Erlach, then at Zu-

rich, where he had been sent with pacific proposals. "Men of Zurich," said this illustrious envoy, when the declaration of war came, "I am innocent of this; do with me as you may think fit." He was sent back with an escort, and declined serving during this war: observing on the occasion, that he had been better treated by his enemies than by his friends! The army of the confederates, now sixteen thousand strong, rode triumphant over the territory of their adversary; while the imperial ally of Zurich, taken up with more important affairs, and enemies nearer home, sent no further assistance. Divided into opposite parties, for and against the war, Zurich appeared defenceless. The confederates, on the other hand, having exhausted the country of provisions, and unable to do any thing against strong walls, returned to their respective homes at the end of one month. Their last exploit was sacking the abbey of Ruti, and carrying away its great bell; the tombs of holy men, nobles, and warriors, were violated, and the bones of the dead thrown about in wanton sport. The remains of Frederick of Tokenburgh, an object of so much dread and reverence during half a century, and whose inheritance had been the first occasion of the civil war, were not more respected than the rest; the

few remaining teeth of his old head being knocked out with a stone.

The Margrave of Baden, lieutenant of the emperor, negotiated with the Duke of Burgundy for a body of thirty thousand Armagnacs, as auxiliaries against the Swiss: but the duke requiring, as a preliminary, the investiture of the imperial fief of the Low Countries and Luxemburg, the treaty failed. He next applied to the king of France, by the emperor's orders, and was more likely to succeed; but nothing could be concluded immediately, and in the meantime the confederates entered the field again. Stal Reding, their able commander, deceived Stussi by a stratagem; and at the end of a sanguinary battle under the walls of Zurich, in which its defenders were routed, the confederates entered the gates with them. The unfortunate but heroic Stussi, who had brought this disaster upon his country, determined not to survive it: he stood alone on the bridge, armed with his battle-axe, stemming the torrent of both victors and vanquished, and fell at last pierced through with a pike, some said by one of his own burghers, whose name Bullinger has recorded, as well as his words—*By the wounds of our Redeemer, this is all thy work.* The town was on the point of being taken, and some

of its defenders were already making their escape by an opposite gate, when a woman, as is said (similar stories are too often repeated to be easily believed), thought of letting down the portcullis, and stopped the pursuers. An officer of Glaris, who had taken the banner of Zurich, finding himself shut in, and anticipating his fate, had just time to thrust the glorious prize back through the bars to his companions, and soon lost his life. The body of Stussi, not wholly deprived of life, was dragged away by the men of Glaris, among whom he was born, and who bore him more hatred on that account; cut in pieces by them, they greased the leather of their shoes, and the steel of their pikes, with the fat of his body; tore his warm heart with their teeth, and threw the pieces at each other: the mangled remains were pushed into the Sihl. The statue of this ill-fated warrior is still seen in a public square of Zurich, clothed in armour, and the battle-axe in his hand, as he appeared on the morning of the fatal day. Michael Graaf, another magistrate of the war party, was likewise killed by one of the enraged burghers.

All within the walls of Zurich was yet safe, but the territory remained in the hands of the enemy, and no end could be answered by a further continuation of the war, except the indulgence of the

most violent and blind passions. Such was, however, the fury of the people of Zurich, that two of the members of the senate were torn out of their seats, thrown into prison, tried, condemned to die, and executed, for advising a peace, and declaring that those magistrates who were the authors of the war, and had lately perished, deserved their fate.

A hope remained on the side of Zurich, from the assistance of Charles VII. king of France. That prince having signed a truce with the English, glad of an opportunity of employing at a distance the mercenary bands of Armagnacs, composed of all nations, who infested his exhausted realm, had determined upon sending the Dauphin, his son (afterwards Louis XI.), at their head, for the double purpose of breaking up the council assembled at Basle in 1431, and protracted many years in defiance of the Pope, and of assisting the Duke of Austria against the revolted peasants, as the confederates were still called. Eight thousand English, and fourteen thousand French, arrayed under the same banners, marched to Basle, and were joined on the way by the Austrian nobility. The Swiss* detached sixteen hundred men to

* The name of *Swiss* became, about this time, the common appellation of the confederates, from Schwytz having been the principal in the war with Zurich.

strengthen Basle, with orders to throw themselves into the place at any risk. They left the camp before Farnsburg in the night, surprised, at break of day, a corps of eight thousand horse of the Dauphin, and defeated both this and another detachment. Elevated with their good fortune, they crossed the torrent of the Birs, which was between them and the enemy, regardless of numbers twenty times their own, and in disobedience of their officers, who probably wished to enter Basle by the Rhine. Forming again in close order, they advanced over the plain, but finding themselves hemmed in, at last, on all sides, they made a stand against the walls of the burying-ground of St. Jacques, within a quarter of a league of Basle, which they had been unable to reach. *Our souls to God*, said these heroic men, *and our bodies to the Armagnacs**. In this situation they faced the enemy as long as they had life;

1444, Aug. 26.

* These words are reported by Henry Purry of Neufchatel, in his chronicle:—He, with another member of the council, returning from Basle on the approach of the French army, met this band of heroes on the eve of the battle of St. Jacques, and informed them of the strength of the enemy, and the difficulty of reaching the gates of Basle—to which they answered (it is best in his old French), Si faut il que ainsi soit fait demain, et ne pouvant rompre a la force les dits empechemens, nous baillerons nos ames à Dieu, et nos corps aux Armagnacs!

fresh troops were sent against them three different times in the course of a whole day, and some pieces of artillery; at last they were vanquished, to use the words of a contemporary writer*, *a force de vaincre*. The Dauphin lost six thousand men, among whom were many distinguished commanders; and only sixteen of the Swiss escaped, probably by repassing the Birs in the early part of the day, but they were treated with ignominy by their countrymen for having fled. The Dauphin, astonished at this defence made by a handful of men, and the loss he had sustained, relinquished all idea of penetrating further into their country; but Charles VII. caused a medal to be struck, to commemorate this dearly bought victory of his son, representing two prisoners bound back to back, with these words, *Helvetorium contumacia et temeritas ferro frenata MCCCCXLIV:* (The obstinacy and rashness of the Swiss repressed by the sword). He omitted to say that the victors lost four times the number of the vanquished. With more reason, if not less vanity, Francis I., after beating the Swiss at Marignan, stamped on his medals, *Vici ab uno Cæsare victos:* (I vanquished those whom Cæsar alone had before vanquished).

* Æneas Sylvius.

The first treaty of peace and perpetual alliance between France and Switzerland, signed 1454. the 28th of October following, was the consequence of this memorable battle.

The Duke of Austria and the canton of Zurich, deprived of the powerful auxiliary upon whom they had relied, continued, nevertheless, the unequal contest two years longer—a melancholy period of savage destruction—without any thing worth recording, excepting the battle of Ragatz, in which 1150 men of Glaris encountered 6000 Austrians, who left 1300 of their number dead upon the field.

Several sovereign princes of the empire employed themselves in bringing about an amicable adjustment of differences. The plenipotentiaries of the belligerents met, at last, for the purpose, but their mutual distrust suggested the extraordinary expedient of carrying on their negotiations on the waters of the lake of Zurich, each party in a separate boat. Hugh de Montfort, commander of the order of St. John, was there in a third boat, exhorting them to peace and mutual forgiveness. They agreed on another meeting at Constance, and afterwards at Einsidlen. The points in dispute were referred to arbitration in the manner prescribed by the Helvetic constitu-

tion, and the alliance of Zurich with Austria was there decided to be contrary to the principles of the confederation, and annulled: conquests made during the war were restored, without damages awarded on either side. An important point of the constitution was thus settled, the only compensation for this long and disastrous civil war, except the warlike fame acquired by the parties.

The Cantons continued to enlarge their possessions by treaties, and principally by purchases. Uri procured the cession of the valley of Livinen from the Duke of Milan; Berne acquired several towns and districts in the Emmethal, the Oberland, and the Aargau; the province of Thurgovia was taken, and became the joint property of seven cantons, and afterwards of eight.

CHAPTER XXIII.

War of Berne with Fribourg—The Plappert Wars—Schaffhausen—Tyranny of the Duke of Burgundy, Charles the Bold—Louis XI. lavishes Money and Promises upon the Swiss—Victory of Grandson—Famous Diamond—Distress of the Duke—Superior Composition of the Swiss Forces—Great Victory of Morat—Death of the Duke.

A CONSCIOUSNESS of strength made the Swiss impatient and restless, and involved them in incessant broils. Berne had a bloody war with her neighbours of Fribourg, at that time subjects of the Duke of Austria; the whole confederacy quarreled with Constance on account of a bad penny, and the ridiculous hostilities which ensued were called the plappert* war. Another war, of a more serious nature, with Austria, was undertaken in defence of the burghers of Schaffhausen, scornfully as well as cruelly treated by the nobles, who called their town the Swiss cow-stable, and deluged with blood the province of *Sundgaw*, changing it into a desert!

We are now come to the war with Charles duke of Burgundy†, which, though it raised the mili-

* A copper coin worth about a shilling.

† First surnamed Charles le Hardi, and, after his misfortunes, *Charles le Temeraire.*

tary reputation of the Swiss to the highest rank in Europe, was most unfortunate for them in its moral results.

As *lord mortgagee*, Charles occupied a considerable part of the Austrian patrimonial demesnes, when, by a long course of tyranny and oppression, his representative, one Hagenbach, had become odious to the people, and not less so to their neighbours the Swiss, by many equally offensive instances of insult and vexation. Berne, most exposed to these insults, might have been supposed most prompt to resist them; but her councils were at this time distracted by the factions of Boubenberg, favourable to Burgundy, and of Diesbach*, to France. Diesbach at length prevailed, with the assistance of two popular demagogues, Kistler and Franklin; the former of whom, of the tribe of butchers, becoming avoyer, exiled Boubenberg and many other patricians, until, for his pride and violence†, he was himself pulled down by the very

* Nicholas de Diesbach, afterwards avoyer, died at the beginning of the war against Charles of Burgundy, of a fever taken while visiting his sick soldiers: he was beloved by the army, and had the greatest influence in Switzerland.

† The pointed shoes turned up at the end, worn by the nobles, and the long train of their ladies' gowns, were particularly obnoxious to him.

hands that had raised him. The apprehensions of Berne, as well as of the other cantons, were now excited by the conduct of the Burgundian governor, yet they determined upon making friendly remonstrances, and sent ambassadors for that purpose to the duke. Philippe de Comines says, they spoke on their knees, as vassals to a lord, or deputies of the commons to a king—but this circumstance is disputed: at any rate, they spoke in vain. Hagenbach persevered in his excesses, and disgusting, at length, both nobles and burghers, even the bishops of Strasburg and Basle entered into a league for mutual defence. The measures against Burgundy were secretly furthered by Louis XI. of France, who was lavish of offers and money, and who, according to De Comines, distributed 20,000 livres among the cantons (of which Berne had 6000, Lucerne 3000, and Zurich 2000), besides presents to individuals, and an annual subsidy during the war. The Duke of Burgundy, alarmed at last, by fair promises averted the storm for a while, but his insincerity soon appearing, the sufferers lost patience, and Hagenbach was suddenly seized by the inhabitants of Bresach, and, for his various crimes, brought to trial, condemned, and executed: the Duke Sigismond of Austria actually concurring in this popu-

1474, 8th Jan.

lar assertion of natural right over legitimate power; —a proof how excessive the abuse of that power must have appeared, or perhaps only of how willingly he entered into any measures that might lead to the recovery of his mortgaged territory. A second Hagenbach being appointed to the situation of his deceased brother, with orders from the Duke of Burgundy to ravage the Sundgaw, as yet scarcely recovered from recent devastations, the cantons hesitated no longer, but took the field, and defeated the Burgundians in a pitched battle, with the loss of two thousand men. Their army consisted of eighteen thousand, half of whom were furnished by their allies along the Rhine, and especially duke Sigismond. Austrians and Swiss being thus, for the first time, seen marshalled in the same ranks against a common enemy. 1474, October.

Early the next spring, they carried their victorious arms beyond the Jura, destroying the castle of Pontarlier and many others; and, on their return, taking those of the Count de Romont, an ally of Burgundy, as well as those of Joigne, Orbe, and Grandson, which they garrisoned. The next year they possessed themselves of Morat, Avenche, Payerne, Estavoyer, Yverdun, and many other places, frequently massacring in cold blood the

garrisons of castles taken by assault. At Lesclees, eighteen soldiers, found alive in the fort, were beheaded by a valet, who only saved his own life by consenting to this odious deed. At Estavoyer, of all the garrison, and all the population, both of town and castle, only twenty-four survived; and the executioner attending the army was himself murdered, for suffering these or other devoted victims to escape. Few, at last, dared to await the coming of foes so savage and so successful: Morges, Nion, and Geneva, sent deputations to propose terms, and, at the latter place, enormous contributions were exacted. The mere feeling of pity, not to speak of rational humanity, seems to be the result of a high degree of civilization, and was as much unknown at that period in Europe, as it still is among the natives of North America.

In the meantime, Charles, not inactive, had been preparing for the contest with Switzerland, by the conquest of Franche Comté, a province, which, connecting as it did his vast domains from Flanders to Burgundy, was of the greatest importance to his security and resources. As he now advanced with a powerful army*, Philip de

* A grand'chevauchée, says Philippe de Comines, in his old language, venoit le duc Charles, avec moult gens d'armes, de

Comines informs us, that the confederates again renewed their proposals of peace, representing that he could not find, in their country, the worth of the gilt spurs of his knights, but "*Rien ne voulut le dit duc entendre et ja le conduisoit son malheur.*" With a camp resembling an opulent town, where princes and nobles attended, as for a festival, accompanied, says Schilling, who was present, by more than three thousand women! He laid siege to Grandson, and the garrison, reduced to 450 men, having surrendered on honourable terms offered them, they were all treacherously hung up to trees or thrown into the lake. The tidings of this catastrophe met the Helvetic army at Neuchatel, and forgetting, that, although not perfidious, they had themselves often been equally cruel, they hurried forwards, determined on revenge: "temoignant," says Philippe de Comines, "courroux si furieux que dire ne se peut, jurant tous que vengés seroient leurs frères par sang et par vie sans nul repit." They fought their way through the defile 1746. 2nd March.

pied et de cheval, repandant la terreur au loin par son ost innombrable. Là etoient cinquante mille, voire plus, de toutes langues et contrées, force canons et autres engins de nouvelle facture; pavillons et accoutrement tous reluisants d'or, et grande bande de valets, marchands, et filles de joyeux amour.

between Vaumareus and the lake, formed, in spite of incessant charges from the Burgundian cavalry, into a hollow square (they were 18,000, and the enemy 60,000); and when they perceived the infantry approaching, with the duke and his knights, to the sound of trumpet and clarion, they planted their pikes and standards in the ground, and fell upon their knees in prayer. At this the duke, swearing by St. George that they asked for mercy, called out to his cannoneers to fire upon the villains *. Vain words: the confederates rising, with fixed lances and steady step, advanced *like hail upon the gay gallants*, driving

* The artless account of this battle should be read in the old French of the Chronicle.—"D'autre part, et en la même heure, le duc Charles avancoit à grand bruit de trompes et de clarions. Tost apparoissent devant les batailles des ligues, les gens d'armes Bourguignons superbement accoutrés, là se trouve le duc avec ses plus amés chevaliers. Les ligués découvrant toute la fourmilliere des Bourguignons proche concise, font planter en terre piques et bandieres, et d'un commun accord à genoux requierent faveur de Dieu fort. Ce que le duc voyant jure disant *par St. George, ces canailles crient merci! Gens des canons, feu sur ces vilains!* Telles paroles ne lui servent de riep: les ligues comme grêle se ruent dessus les siens, taillant, depiesçant, deça, dela, tous ces beaux galans. Tant et si bien déconfits furent à vauderoute ces pauvres Bourguignons que semblent ils fumée, repandue par vent de bize."

and dispersing the astonished multitude before them with such celerity, that only one thousand of the flying host were killed in this retreat. The victors are indeed said to have been arrested in their pursuit by the sight of the camp, presenting to their eyes treasures such as they had never beheld before: one hundred and twenty pieces of cannon, four hundred gorgeous tents, six hundred banners, more than four hundred weight of plate, the seals of state, the order of the golden fleece, money, precious stones, pearls, and relics. A diamond, called the largest in Christendom, picked up on the field of battle by a Swiss, sold to a priest for a florin, re-sold at Berne for three livres, and soon afterwards for forty-seven thousand florins, is supposed to be the one which, altered into a brilliant, and under the name of the Sancy (from Harley de Sancy, who bought it in Portugal) now adorns the crown of France *.

* Another opinion, however, places it in Spain, having been bought by Henry VIII. of England, and given by Queen Mary to her husband, Philip II. "Ce diamant," dit Philippe de Comines, "etoit un des plus gros de la chretienté, et ou pendoit une grosse perle, fut levé par un Suisse, et puis remis en son etui; puis rejetté sous un chariot, puis le revint querir et le vendit à un prêtre pour un florin, celui là l'envoya à leurs seigneurs de Berne, qui lui en donnerent trois francs," &c.

The plunder divided after the battle, exclusive of what was secreted by individuals, is estimated by contemporary writers at more than a million of florins; and the effect produced by such an influx of wealth on the manners of the Swiss, though natural, was striking. Most of them, says Philip de Comines, abandoned the plough, and turned soldiers. His authority is the best that we can follow, on the events and consequences of this war. The grief of the duke, he tells us, deranged his mind, and broke his constitution, so that he never was the same man again. For six weeks after the battle he remained in total solitude; his subjects murmuring, and new enemies beginning to declare themselves. The Duke of Milan, his ally, rejoiced openly at his misfortune. King René, of Sicily, who had entertained thoughts of ceding Provence to him, abandoned the project, and reconciled himself to the King of France. All the Imperial towns, formerly in alliance with him, joined the Swiss: yet still he spurned at the idea of peace, ordered men and money to be raised in every part of his dominions, and the very church bells, and common brass kettles, to be cast into ordnance; collected in Franche Comté the wrecks of his scattered army; and although his Flemish subjects publicly declared against contributing

further to the expenses of a war, so unnecessarily protracted, succeeded, by the beginning of June, in assembling before Morat an armed multitude, equal in number to the last, accompanied by 2000 knights and nobles, and by many princes. Within the walls of Morat, the Swiss had only at that moment 1500 men, under the command of the old avoyer Boubenberg, whose situation, though they successfully repulsed every assault, became every day more dangerous. The greatest efforts were, however, meanwhile making to re-assemble the forces of the confederation; and when they finally advanced to give battle to the duke, they amounted to thirty-one thousand foot and four thousand horse, the greatest number that had ever yet mustered in Switzerland. About one-third of them carried matchlocks; the rest used a pike eighteen feet long, a double-handed sword called espadon *, fastened over the shoulder, and a short one at their side, with a helmet and cuirass for defence, of iron or thick leather. Their battalions of three and four thousand men, formed into solid squares, bristling with spear heads, might be compared to moving citadels, against which neither

* This sword was four feet and a half long and two inches wide; it was abandoned as too heavy and inconvenient, and the dirk substituted.

cavalry nor infantry made any impression. "J'ai vu en nos armées," says Brantome, "que quand nous avions un gros de Suisses, nous nous estimions invincible," &c.: but of the infantry of Louis XI., and of Europe in general, he says, that it was composed of "la plupart gens de sac, et de corde, mechans garnemens echappés de justice."

The Swiss infantry were citizens, men whose hearts were in the cause, fighting side by side with their friends and relatives, and under the eye of those whose good opinion was dearer to them than life: they were, moreover, inured to hardships, patient of toil and privations, healthy and strong at the end of a campaign as at the beginning. Before going into action 1476. 22nd June. at Morat, they, as usual, had recourse to prayer; and Jean Waldman of Zurich, then general in chief, René Duke of Lorrain *, who commanded the cavalry, and several other officers, were knighted. The Duke of Burgundy had drawn up his forces behind some hedges and palisades, which the Swiss could not pass without difficulty, nor without being exposed to a heavy fire. Jean de Halleville, with the van-guard, found means,

* René had been stripped of his possessions by his relation, the Duke of Burgundy, and served in the Swiss army as a volunteer.

however, to avoid the danger by going through a hollow road, and as the sun burst forth, and the day cleared suddenly, after a morning of rain, "God lights us," he exclaimed to his men; and reminding them, that it was "the anniversary of Laupen, where their forefathers had saved the country," he attacked the enemy in flank, while the main body pressed upon their front, and Boubenberg sallied forth with his garrison to charge them in the rear. At half past two, the fate of the day was no longer doubtful; the Burgundians gave way on all sides, pursued by the Swiss cavalry, calling aloud Grandson! Grandson! In another moment, the lake was covered with horsemen endeavouring to escape by swimming; and exclusive of those who were drowned, De Comines estimates the number of their dead at eighteen thousand: rich armour is still at times found in the lake. *Petite fut la perte des Ligués*, says the Neuchatel Chronicle, 130 *dans l'assaut des pals et canons, et les couleuvrenades et batteries frappenent* 281 *quasi tous de Berne et Fribourg*; their loss, therefore, scarcely exceeded four hundred men. They gave to the Duke of Lorraine, who had fought valiantly with the cavalry, the tent of Charles and all the cannon taken from himself at Nancy. Their own share of plunder was considerable: notwithstand-

ing the preceding losses of the enemy here, as at Grandson, they found a vast number of women, *deux mille joyeusés donzelles*, says the Chronicle, whom they did not detain; *deliberant que telles marchandises ne bailleroéint grand profit.* Fribourg and Berne, who suffered most, had the cannon: twelve thousand men overran the *Pays de Vaud* without opposition, and threatened Geneva. Charles, who had fled in despair, attended at first by three thousand men, reached Lausanne, almost alone, justly now surnamed the *Temeraire;* he tried his fortune once more, and perished under the walls of Nancy, in a lost battle, where the Swiss served only as auxiliaries of the Duke of Lorraine, who regained possession of his dominions. Meeting the dead body of Charles after the battle, he took his hand, and exclaimed, *Cher cousin, Dieu sauve ton ame, combien de maux tu nous a fait!*

The bones of the Burgundians, drawn four years after the battle from the graves where the dead had been buried on the field of Morat, were collected into a chapel built on the spot, with this energetic inscription over the door:

Carolus Burgundiæ Dux ab Helvetiis cæsus hoc sui monumentum reliquit, A. MCCCCLXXVI.

These historical remains of the former glory of

a gallant people fighting on their own soil against an unjust aggressor were dispersed, and the inscription defaced, in 1798, by the French revolutionary army invading Switzerland, or rather, by the demi brigades de la Côte d'Or, one of the departments of the *ci-devant* province of Burgundy; but the inscription is preserved in medals, and this ill-judged destruction has added fresh notoriety to the event, of which they intended to obliterate the memory.

CHAPTER XXIV.

Louis XI. obtains quiet Possession of Burgundy, by bribing the Swiss—Their Alliance courted by all the crowned Heads and the Pope—Love of War and Plunder, and gross Corruption of the Swiss—Covenant of Stantz—Invasion of Italy—League of St. George—Conjugal Devotion.

THE fate of the people of *Franche-Comté*, or Comté de Bourgogne, left defenceless by the death of Charles, now became the subject of much negotiation and remonstrance from foreign powers, at the Swiss diet; and it had been actually concluded to receive them as perpetual allies of the confederation, upon payment of 150,000 florins, when Louis XI. taking advantage of some delay in the delivery of the money, purchased, by a higher bribe, the neutrality of the Swiss, and was allowed to take possession of the province. Previous to this, Franche Comté, according to her own earnest petition, would probably have been admitted a member of the Helvetic League, but for the opposition of the small democracies, who were already jealous of the preponderance of the larger cantons. These jealousies were soon after on the point of breaking out into a civil war, when the disgraceful and dangerous crisis was averted by an

interposition characteristic of the age. Nicholas de Flue, a holy man, of an honourable family, and distinguished, from early youth, by his ardent and enlightened benevolence, descended from his hermitage in the mountains, to preach conciliation and peace. To his arbitration the whole nation unanimously submitted; and the covenant of Stantz was framed, annulling partial alliances between the cantons, regulating their interference with one another, or with foreign states—confirming the pacts of 1370 and 1393, respecting ecclesiastical jurisdiction and military discipline—settling the division of booty in war—and, finally, associating Fribourg and Soleure to the league, as the ninth and tenth cantons; after which the hermit returned to his cell, where he died in 1487, but not without having had occasion to see the efficacy of his institutions against factious violence and injustice.

In an age as corrupt as it was rude and barbarous, the Swiss might be deemed an honourable, faithful, and simple people; yet whatever is known of the state of manners among them presents a most disgusting picture of violence and immorality. The wealth acquired in war had only served to excite an inextinguishable thirst for more; obscure industry was despised; husbandmen aban-

doned the plough, and tradesmen the workshop, to enlist in foreign service; and even magistrates deserted the bench to lead as captains the very vagabonds whom they were otherwise to have tried. The habits of predatory wars had filled the land of liberty and innocence with vices of the grossest kind, and crimes beyond the power of law to repress. Taverns, and other places of public resort, were filled with idle and turbulent soldiers, who, after gambling away all they possessed, repaired their losses by violent means. Fifteen hundred executions took place in the course of a single year (1480), a number unequalled in any other part of Europe, even in England, where criminal justice was, at that period, so sanguinary. Notwithstanding this state of things, we find an illustrious king of Hungary, Matthias Corvin, the Nero of his age, and the bulwark of Europe against the Turks, then so powerful, seeking, in an alliance with the Swiss, the best security for his dominions during his eastern wars.

Of all the nations, the Italians were, from the sovereign pontiff himself down to the lowest classes of society, the most deeply sunk in vices, scarcely redeemed by a single virtue. Imitators of the Greeks, they were rather subtle than war-

like; but what they lost in the field, they felt assured of regaining in the cabinet; and their success in arts, literature, and commerce, had made them the envy and admiration of Europe. Their country was now about to be the theatre of Swiss prowess; and Pope Sixtus IV. was the first who endeavoured to engage them as auxiliaries. Although his presents of a consecrated banner, where St. Peter was represented dressed in pontifical robes, of a perpetual bull of indulgence, and even the offer of an annual subsidy of 40,000 florins, proved at first insufficient, yet he finally succeeded in entangling, first the canton of Uri, and afterwards all the others, in his hostilities against Milan. The result of the expedition, both glorious and lucrative, did but foster the propensity of the Swiss for foreign wars, which their high reputation furnished them with numerous opportunities of indulging. Their alliance was also sought by Charles VIII., now meditating the conquest of Naples. The 1494. choicest part of the army with which, without magazines, and almost without money, he overran Italy, and successively entered Florence, Rome, and Naples, like an hereditary monarch visiting his patrimony, consisted of six thousand Swiss. Of these, one half were left, with other troops, to

guard Naples and his other conquests, where they all, excepting about three hundred and fifty, finally perished. The other half accompanied his retreat, and were, says Guicciardini, the nerve of this little army, which consisted only of ten thousand men; they saved the king at Fornova, adds De Comines, transported his artillery, contrary to all hope and expectation, across the Apennines, and extricated the Duke of Orleans at Novara. Equally generous towards the Pisans, now about to be again delivered up, for the sum of 30,000 florins, to the oppressive yoke of Florence, these valiant men offered to relinquish, the officers their gold chains, and the privates their arrears of pay, to make up a ransom equivalent; and through their leader, Salazert, pressed their suit with such earnestness, that the king saw himself compelled, for the moment, to comply.

In the mean time, a fresh reinforcement of twenty thousand more Swiss was approaching his camp. He had asked only for ten thousand; and alarmed almost as much by this multitude of friends as by his enemies, he hastened to conclude peace. Thus disappointed of their promised harvest of fame and plunder, some of the most violent among the Swiss proposed carrying the king and his court away with them to their mountains,

there to remain, until they had been properly indemnified; but Charles contriving to pacify them with three months pay, took a hasty leave, and passed over into France.

Shortly after their Italian campaign, the Swiss engaged in one of the most bloody and remorseless wars that appears in their annals, to appearance without a cause, and out of circumstances that ought to have insured a very different line of conduct on their part. The league of St. George was an extensive armed association formed by the states of Swabia, and many princes of the empire, for the repression of private war during the next ten years, and, with this view, more than one hundred and forty strong-holds of feudal banditti were destroyed in Swabia alone. The refusal of the Swiss to join this league, from whatever cause it arose, whether from ancient jealousy of Austria, or from mistrust of any confederacy of nobles, produced misunderstandings, mutual insults, abusive songs, reflecting upon national peculiarities, and finally a war*; in the course of which they

* The Swiss deputies to the diet of the empire, having declared they would not join the league of Swabia, in obedience of a decree of the imperial chamber, the archbishop of Mayence, chancellor of the empire, said, angrily, he held something in his hand which would make them do it, meaning his pen, with

laid waste the country round the lake of Constance, and reduced the houseless and starving inhabitants, in the midst of a hard winter, to seek shelter in the woods! Six great battles were fought with immense slaughter, in most of which the Swiss were victorious; they gave, as usual, abundant proof of patient endurance, as well as of valour, fording rivers in the coldest weather, and a body of them standing, on a particular occasion, more than one hour in water half frozen: but interest and sympathy are at an end for mere destroyers, whose heroism is no longer virtuous or patriotic. Our feelings turn for relief to the story, although so often repeated, of the affectionate wife, whose husband, commander of one of the castles taken by the Swiss, and, for reasons now unknown, exposed to their particular hatred, was excepted from the capitulation, which, however, gave liberty to every other individual to depart, with whatever effects he was able to carry. When the lady, ingeniously availing herself of this permission, appeared on the draw-bridge with her husband on her shoulders, even the enemy, far

which he might subject them to the ban of the empire: but they replied, *what your grace threatens to do, others have actually tried with halberts, which are harder than goose quills, yet they could not.*

from cavilling about the nature of the burden, applauded her devotedness and courage, and sent after her those articles of property which she had been obliged to abandon for the sake of her best treasure.

Repeated defeats in the course of one year having annihilated several armies for the league and the emperor Maximilian, they accepted the mediation of Louis XII. and made peace.

CHAPTER XXV.

New Italian War—Bishop Schinner and Supersax—Sforza, Duke of Milan—Louis XII.—Comparison of the Swiss with the Romans—Battle of Novara—Anecdote of Robert de la Mark, and his two Sons—Immense Wealth.

THE king of France had made peace between the Swiss and their enemies, that he might engage them on easier terms as auxiliaries in his meditated invasion of Italy. Accordingly we find
1499. them, to the number of 41,000, joining him against Ludovic, Duke of Milan, in the course of this and the succeeding year. Neglected and ill paid, part of them returned home, while others, changing sides, shut themselves up with the Duke in Milan; but fighting reluctantly against their own countrymen, still in the king's army, the place could not hold out, and capitulated. The duke, in endeavouring to escape in the disguise of a Swiss soldier, was betrayed by a man from Uri, named Furman, and carried a prisoner to France, where he remained until his death, notwithstanding the earnest intercession of the Swiss, among whom the name of Furman became henceforth so infamous, that his family applied for leave of the

council to change it; and the man himself, having ventured to return home, was tried, condemned, and executed.

While the Swiss were serving the king of France, they chose to take for themselves Bellinzone and its valley, with the important pass of St. Gothard, of which their royal employer complaining at the diet of Lucerne, the three Waldstetten answered haughtily, they had deserved much more! Bellinzone having formerly belonged to them, they said, and the inhabitants claiming their protection, the country should be theirs, *with the help of God and of their halberts.* The king insisted nevertheless; but early in the ensuing spring, 14,000 Swiss drove at once the French advanced 1503. posts beyond the Lago Maggiore, and the king, finding that his views upon Italy were incompatible with the enmity of these untractable associates, gave up Bellinzone. Thirty thousand Swiss had already lost their lives in Italy; but Louis, who knew their weak side, pressed upon them his corrupting favours, while the cantons, aware of their fatal consequences, entreated, with ludicrous earnestness, not to be led into temptation. Instigated by Schinner, the Bishop of Sion, who was arrayed on the side of the pope and of the Venetians, against the emperor and the king of France, they

refused at last to renew their alliance with the latter, except on terms which they knew he would not grant. Louis, indulging in contemptuous reflections on the *miserables montagnards, qui osoient le regarder comme leur tributaire,* confirmed their hostile dispositions.

This Bishop Schinner had a dangerous political adversary, in the person of a powerful Valaisan, called *Auf der Flue*, oddly turned into the Latin name of *Supersax*, by which he is better known. This would scarcely be worth mentioning, if some circumstances of their quarrel did not illustrate the manners of the times. *Supersax* was a burgher of Berne, but Schinner succeeded in depriving him of the protection of that canton; and when on his way there to justify himself from the imputations of his enemy, he was seized in the territory of Fribourg, again at the instigation of the bishop, thrown into a dungeon, and tortured repeatedly, to draw from him the avowal of some supposed crime. The wife of this unfortunate man, still beautiful, as is asserted, although the mother of twenty-three children, came to Fribourg to beg for his life. The avoyer had pity on her, and favoured his escape to Berne. But the people of Fribourg, who, it seems, had taken part against Supersax, venting their fury upon their first magi-

strate, tore him away from the church, where he had fled for protection, threw him into the dungeon lately occupied by their prisoner; and, regardless of his elevated rank, put him to the rack, and made him perish on the scaffold! Berne refused to surrender Supersax, and when he regained the Valais, it was his turn to be revenged. The people were not favourably disposed to their prince-bishop, and Supersax found no great difficulty in raising the *mazza* against him. The prince escaped by the St. Bernard, in the hideous disguise of a leper, and took shelter at Rome, where an excommunication was pronounced on the rebellious flock, but received with perfect indifference.

The quarrel between Louis XII. and the Swiss, far from being made up, was brought to a crisis by the capture of three of their state messengers, one of whom, escaping after a long detention in the Milanese, carried home tidings of the murder of his companions. The council of Berne wrote to Gaston de Foix, Duke de Nemours, governor of Lombardy, and applied to the French ambassador to demand satisfaction for this enormity, but received contemptuous answers. Louis thought himself sure of an alliance with the Grisons and the Valaisans, and was, on that account, more careless of offending the Swiss; but

1511.

the latter passed the mountains immediately, although in November, to the number of 8000 men, drove away the French entrenched on the Tresa, between lake Maggiore and lake Lugano; and, their forces being soon increased to 18,000, they reached Milan, plundered its suburbs, and might have taken the town, but were stopped by advantageous offers of peace, ample satisfaction, and a month and a half pay for their trouble*!

This peace was rather a truce than a definitive treaty, for we find the Swiss again in Italy towards the end of the next campaign, arrayed on the side of the pope, whose cause had been successfully pleaded by the Bishop of Sion. He had sent them a gold sword in a scabbard, richly ornamented with pearls, two banners, bearing the arms of the twelve cantons, with the keys of St. Peter above, together with several other holy presents, and a brief, in which they were called *Defenders of the Church.* They might have liked the payment of 80,000 ducats, due to them by his holiness, full as well, but were satisfied with one fourth part of that sum for the present, and the prospect of a ransom for all the towns they should

* M. Daru, in his excellent history of Venice, does not admit that the Swiss reached Milan, nor that there was a treaty made with them.

take, which was to be theirs alone. They were not disappointed in their expectations, for the capture of Cremona and Bergamo alone yielded them soon after as much as the whole debt of the pope.

The French army had already won the battle of Ravenna, where Gaston and Bayard fought, when the arrival of the Swiss, 20,000 strong, turned the tide of success to the other side. The French were driven away from all their positions, and obliged to evacuate Lombardy, except the citadel of Milan, and three others. The towns, disgusted with the licentiousness of their soldiers, declared every where against them. 1512. 11th April.

On the other side of Switzerland, Neuchâtel, belonging to a French prince, the Duke de Longueville, was occupied by the Swiss.

The enormous sum of 200,000 ducats, remaining of the contributions levied in one campaign, after paying all expenses, was divided between the cantons, in conformity to the covenant of Stantz. Their diet, held at Baden, was attended by ambassadors from the emperor, from Spain and England, from Venice, then at the zenith of her power, from the pope, and most of the princes of Europe, the king of France excepted. Sforza received his dukedom from the victorious repub-

licans, whose magnanimity on this occasion enhanced their fame. The landamman of Zug, who commanded at Milan, had orders for the solemn installation of that prince, who acknowledged, in a speech pronounced when he entered the capital, his obligations to the cantons, and promised to be governed by their advice.

The Romans themselves, in their early days of devotedness and heroic valour, had done nothing to deserve the empire of the world greater than the shepherds of the Alps; yet two centuries of unexampled successes had scarcely added any thing to the rude domain of the latter. There was, indeed, a striking difference in the circumstances of the two people; for the neighbours of Rome, in the first ages of her foundation, were a far easier conquest than those of Helvetia, the German empire, the kingdom of France, and the flourishing Italian republics! The Romans conquered at once territory and subjects, extending the bases of their power as it grew up, while the victorious Swiss acquired only wealth, which left not a wreck behind, except avarice and vices, and made them corrupt in their cradle. But for these causes, strange as the notion may now seem, Berne or Zurich might have been at this day the mistress of the civilized world.

Louis XII., convinced he never could keep possession of Lombardy against the will of the Swiss, felt the necessity of regaining their friendship at any rate; he sent no fewer than three ambassadors at one time to their diet, La Tremouille, the Bishop of Marseilles, and the president of Dijon; but he was compelled to use the interest of the Dukes of Savoy and of Lorraine to procure safe conducts for their admission, and to pay for them besides. It actually cost the King of France twenty-two thousand crowns for a permission to send ambassadors to the Swiss! Their negotiations were soon brought to a close; for La Tremouille being asked as a preliminary, whether he had power from his master to renounce Italy for ever, and answering that he had not, "then you may howze yourself (put on your boots)," was the reply, "and depart when you please." The ambassadors departed, but their offended sovereign immediately poured a new army of twenty-six thousand men into the Milanese. The duke had only four thousand Swiss with him, and the enemy having retained possession of the castle of Milan, while he occupied the town, his residence was scarcely out of the reach of their shot. The people, besides, ready to side with the strongest, and tired already of their new sovereign, who had neither

the talents of a conqueror, nor the virtues of a paternal prince, and whom they neither loved nor feared, were beginning to indulge in wanton insults upon fallen majesty, and dragged his effigy and his arms through the kennel. Thinking himself no longer safe with the rabble of his capital, he retired to Novara, but was soon besieged there by La Tremouille, the same who had lately been dismissed from the Swiss diet with so little ceremony. He had already effected a breach; his landsknechts were clamorous for an assault, and he had written to the king, "before the end of this month I shall send your majesty the son of Ludovic, who will be put into my hands by the same people that betrayed his father!" But Frishing, a Bernese, and commander of the Swiss, vindicated the good faith of his countrymen, for he repulsed the assailants in every attack, even leaving the gates of the town open day and night to show how little he feared them. Meantime sixteen thousand Swiss were advancing to the assistance of their countrymen; they passed the Alps in two divisions, and that commanded by the Bernese senator May reached Novara the very day that La Tremouille, changing his position, had retired a little way from it. The Swiss forming then with the garrison of Novara twelve thousand men, took

one of those resolutions which mark a consciousness of strength—sure pledge of victory. Without allowing themselves any rest, without waiting for the second division, without considering they had neither cannon nor cavalry, they set out at midnight to attack an enemy double their number, and provided with a numerous artillery. The French, arrived only a few hours before, had not had time to fortify their camp, and were surprised just before break of day. Notwithstanding the confusion of such an attack, La Tremouille succeeded in drawing up his troops, and the cannon began to fire before objects could well be distinguished; directed at first by the cries of the assailants, it soon made dreadful havoc among them, but without ever stopping the columns. The Landsknechts disputed the approach of the camp with courage scarcely inferior to their own; but pressing forward with their usual steadiness, they reached the batteries, carried them sword in hand, and turned the cannon against the enemy. Few of the Landsknechts survived the day; the rest of the French foot suffered a great deal in attempting to ford a river, but the cavalry escaped with very little loss. 1512; 6th June.

The affecting story of Robert de la Mark, and his two sons, will carry us for a moment from the

consideration of so much mischievous heroism, to something nearer the better feelings of our nature. Fleuranges and Jametz de la Mark, who commanded the Landsknechts, being desperately wounded, were hard pressed in the thickest of the battle; their father made a furious charge at the head of two hundred lancers, and opened the way to them. Jametz was still bravely disputing a remnant of life; he rescued him, and carried away the body of his other son, flung over the neck of a horse, apparently dead. The latter, although pierced with forty-six wounds, recovered, as well as his brother; and was that Marshal de Fleuranges, afterwards so famous as colonel of the *cent-Suisses*. An account of this very battle by himself is inserted in Baron Zurlauben's military history.

Paul Jove and Guicciardini, who compare this battle of Novara to the most brilliant of those recorded in the Roman and the Grecian history, estimate the number of dead on the side of the French at ten thousand; but the latter did not acknowledge so many. At noon, when the Swiss returned from the pursuit of the discomfited foe, their joy was damped by the sight of two thousand of their own warriors dead on the field, besides the wounded, being more than one-fourth of their

numbers. All the baggage of the enemy, and his artillery, composed of twenty pieces of cannon, a very valuable prize at that time, remained in their possession. The other division of eight thousand men joined only in the evening after the action. The melancholy tidings of the total defeat of La Tremouille reached Paris as soon as the despatches, written in the early part of the day, announcing a victory. Similar information sent to Rome arrived somewhat too soon for the credit of his holiness, who having made a bonfire and illuminations for the supposed defeat of the *defenders of the church*, found himself under the necessity of contriving an awkward apology for this meanness. The towns of Lombardy, and the Duke of Savoy, guilty likewise of mistaking the winning side, did not come off so easily as the pope. Empty apologies and explanatory memorials could not atone for such a transgression, and the offended Swiss drew the prodigious sum of three hundred and eighty thousand ducats from their repenting friends: a valuable precedent for future conquerors, and which has not been lost upon them. The rich country from which these contributions were drawn felt exhausted for many years after.

The Swiss left thirteen thousand men to protect the Duke of Milan; and the remainder, about ten

thousand, returned to their mountains literally loaded with gold, as well as crowned with every laurel. The author of the military history of Switzerland, N. B. May, of Romain-motier, estimates at one hundred millions of French francs, at the present value of money, the net proceeds of Swiss prowess during these first years of the sixteenth century.

CHAPTER XXVI.

Excess of Wealth—Insurrections against pensioned Magistrates—Burgundian War—Francis I.—Civil Dissensions—Battle of Marignano—Perpetual Peace with Francis I.—Pope Leo X.—The Swiss arrayed against each other in different Armies—Battle of Bicocca—Battle of the Sesia—Battle of Pavia.

Such an accession of wealth, suddenly poured into Switzerland, added fresh fuel to the factions which distracted the country. The increased price of every necessary of life rendered riches little more than nugatory to their possessors, while those who did not share in them found themselves suddenly impoverished; all felt equally disappointed and soured. The bishop, now Cardinal of Lion, envenomed these feelings for his particular purposes, and insurrections broke out among the peasants of Berne, Lucerne, and Soleure, which were not quelled without difficulty, partly by force, and partly by concession: the magistrates were made to swear not to receive any more pensions from foreign princes, and some inferior agents of clandestine enlistments were tried and executed. But a war against Louis XII. for the purpose of forcing him to abandon all further pretensions on

Italy continued to be popular, and the emperor offering to join with four thousand horse and a train of artillery, it was undertaken with great spirit. The army entered Burgundy, and laid siege to Dijon, where La Tremouille commanded; knowing he could not hold out long, he found means of entangling the Swiss in negotiations for a general peace, on such terms as they chose. A treaty was hastily concluded, which he knew would not be ratified, although he had delivered five hostages for the faithful performance of it; but his own nephew, who was one of them, made his escape, without waiting for the event of the ratification, and the others were supposititious characters, imposed upon the Swiss as men of consequence.

Such a treaty implied treachery on both sides, and on the return of the army, the officers ran considerable risk from the exasperation of the people. A president of the parliament of Grenoble, who happened to be at Geneva, was carried off, and detained, instead of the nephew of La Tremouille, who had ran away.

The death of Louis XII. did not put an end to the long struggle for the possession of the Milanese, and to the strenuous opposition of the Swiss. Francis I. had no sooner ascended the throne, than he

announced his intentions of wiping off the disgrace of Novara and Guinegaste, and lowering the pride of the Swiss: the latter, on the other hand, persisted in protecting the Duke of Milan Sforza, without any very obvious motive. Insidious proposals of peace on the part of the new sovereign, and a haughty rejection on the part of the republicans, were rapidly exchanged, and the fierce opponents met on the plains of Lombardy. But Francis was no ordinary warrior, and he began the campaign by a stroke of generalship which astonished the Swiss, having passed the Alps on two points deemed impracticable, and which they had on that account neglected to occupy, the *Col de l'Argentiere*, and the *Rocca Sparviera**, while they were waiting for him at the Pas de Suze. His army, which might have been stopped or destroyed with great ease, did not meet with one of the

* The Col de l'Argentiere is between Barcelonete and Coni, in Piedmont. Rocca Sparviera is between Briançon and the source of the Po. Bridges were constructed, and wooden galleries on the face of perpendicular rocks, where seventy-two pieces of heavy artillery, all the cavalry, and 30,000 foot, passed over in five days. Some columns crossed over on some other points. Interesting details of this, and of the whole campaign of Francis I. are given in M. de Sismondi's Histoire des Republiques Italiennes, Vol. 14, page 358, &c.

enemy, except Prosper Colonna, their best general, who was surprised at the foot of the Alps, and made prisoner. Nothing more brilliant in modern times than this passing of the Alps. Italy had never seen the Swiss in such force; their army in the field being composed of thirty-eight thousand men, besides about nine thousand in the garrisons: but they were divided among themselves; their officers had their own interest in view, and mistrusted each other. Instead of attacking at once, as they would formerly have done, the disjointed forces of the enemy, after their passage of the Alps, they retreated before them. The party of Berne having for their chief the avoyer Watteville, the same who had made the treaty of Dijon, were for listening to the proposals of Francis; the other party, led by the bishop of Sion, Schinner, then a cardinal, adhered to the Duke of Milan and the pope. This party was the strongest, but intelligence having reached the camp that the pope was negotiating privately with Francis, it turned the scale; communications were immediately established with the king, and a treaty was nearly concluded, when a trifle broke it off. Francis insisted upon the cession of the valley of Bellinzone, and some others of the recesses of the southern slope of the Alps, long since conquered

by the Swiss, and which secured the passes into Italy, but they refused to part with them. Meanwhile a part of their army, disbanding of their own accord, was returning home; and Francis, on the other hand, strengthened himself by taking possession of several strong places. An eloquent speech of cardinal Schinner, recorded by Guicciardini, alarmed their pride, and with half the numbers, which so lately retreated before Francis, they now undertook to act upon the offensive. A mere advanced guard, commanded by Arnold de Winkelried, a descendant of the hero of Sempach, went forth to give battle to the whole French army, about fifty thousand strong, encamped between Milan and Marignano; being joined shortly after by nine thousand more of their countrymen, led on by cardinal Schinner in person, who knew no other tactics but marching up to batteries, regardless of the havoc they made, and carrying them sword in hand; they had forced the entrenchments and taken part of the artillery; the king charged them himself many times, with great bravery, at the head of his gendarmerie, and impeded their progress; the action became general, but five hours of carnage, continued during the first part of the night, had not decided the victory, and the two armies waited for the return

13th, 14th, Sept. 1515.

of light among the dead and the dying, without lighting any fires on either side: meanwhile the generals of Francis I. made some alterations in their position, and the young hero slept some hours, not as is generally supposed on a gun carriage, but on an ammunition waggon, which was rather less inconvenient, although not so picturesque. He had been sick, Marshal Flewange tells us, from drinking water mixed with blood, which had been brought to him in the heat of the action. At daybreak the Swiss, passing over the dead bodies of three thousand of their own men, renewed the engagement with unabated fury. It lasted again four hours, with various success, the king leading repeatedly the charges, and a body of ten thousand foot, composed of mountaineers from Dauphiné and the Pyrenees, trained and organised in the manner of the Spanish infantry, opposed to the Swiss a mode of fighting and a courage not dissimilar to their own. The Italians say, that it was the sudden appearance of Alvians and his Venetians in the rear of the Swiss, which determined the fate of the day, till then in suspense; yielding then to necessity, they retreated towards Milan, slowly, and in good order, and carrying away not only their baggage and wounded, and their own artillery, but some artillery taken from

the enemy, and twelve of their banners. Two companies, surrounded in a village, which the enemy set on fire, chose to perish there, rather than surrender. The king checked all further pursuit. Marshal Trivulce, a good judge in those matters, said that the eighteen battles, at which he had been before, were mere children's play compared to those of Novara and Marignano, which he called *the battles of the Giants*. Guicciardini estimates the loss of the Swiss at eight thousand men, their enemies say thirteen or fourteen, and themselves admit five or six thousand. The loss of the French is estimated, by the same Guicciardini, at six thousand men, and by themselves at four: upon the whole the Swiss suffered most. Francis I. covered himself with glory, but it is probable that if the Swiss had attacked him sooner, and before their separation, the day would have ended fatally for him.

The Swiss, more than ever divided among themselves, could not agree upon any plan of carrying on the war; and after garrisoning the fortresses of Milan and Cremona, they repassed the Alps. Francis took care of their wounded in his possession, sending back the prisoners without ransom; and this generosity contributed greatly to the restoration of peace. René of Savoy, sent by the

king, entering Fribourg with a large sum of money for subsidies, caused some of the bags to burst open in the streets. Such a negotiation was likely to prevail against an emperor, whose surname was *Massimiliano pochi denari.*

The perpetual peace, signed the 27th of November of the following year, and with few exceptions at first, maintained during three centuries, has been the base of all subsequent treaties between the Helvetic body and the kings of France; but Francis I. had to yield on the subject of the bailiwicks on the south side of the Alps, called Italian, for which the Swiss would not accept of any compensation in money; and his desire to obtain their assistance in the prosecution of his schemes upon Naples, smoothed all difficulties. Cardinal Schinner, the first cause of the late war, in which, however, he distinguished himself personally, and showed he was no less daring in the field than in the cabinet, found his influence at home very much impaired by ill-success, and could not prevent the peace with France taking place. His old adversary, George Supersax, lately released from the prisons of the Inquisition at Rome, into which his intrigues had thrown him, and eager for revenge, awoke the old animosity of the people of Vallais;

1516.

the *mazza* was raised a second time, and he was banished for ever: but Supersax himself was exiled likewise.

The beginning of the sixteenth century witnessed the last attempt at a crusade against the Turks, for which the victories of Selim furnished a fair pretence to Leo X. He proposed a truce for five years all over Europe, and a general armament against Constantinople by sea and land: considerable sums of money were raised by the court of Rome apparently for that purpose, abandoned afterwards, and doubts remained that it ever had been seriously entertained; these doubts excited great resentment all over Christendom, and particularly in Switzerland.

The competition between Francis, king of France, and Charles, king of Spain, (Charles V.) for the imperial throne, which ended unsuccessfully for the former, left him more eager than ever for the prosecution of his schemes of conquest in Italy. The Swiss, whose services he required for that purpose, were as well disposed to sell as he was to purchase them; but the emperor and his secret ally, the pope, were no less tempting in their offers, and cardinal Schinner made clandestine enlistments on their account. The diet allowed the king of France to raise six- 1519.

teen thousand men, and refused his adversaries; yet Lombardy saw twenty-two thousand Swiss arrayed on either side, exposed for the first time to fight against each other. The diet saw no remedy to this enormity, but to recall them all.

Unfortunately for Francis, his general in Lombardy, Lautrec, was disliked by the army as well as by the inhabitants, on account of his haughtiness and violence, and had no money to pay the soldiers; therefore the Swiss in his army obeyed many of them the order of recall, while those in the service of Charles V. did not. Francis I. complained with some reason, yet he was well pleased with those with him in Flanders. *Le roi*, said Martin du Bellay, *marchoit armé en devant le bataillon de ses Suisses, qui lui demandoient sans cesse de donner bataille, pour lui faire connoitre le desir qu'ils avoient de lui faire service.* The following year, he obtained another corps of sixteen thousand of them for his army of Italy, but it was left as destitute as before; Lautrec making promises never fulfilled. The Swiss declared at last their intention to depart on a given day, but offered to give battle first; attacking the enemy, entrenched as he was in a very strong position before the celebrated *Bicocca*; and made the following explicit declaration, through their commander, Albert de

Stein: *demain, argent ou bataille; après demain, congé, choisissez.* Lautrec thought he had nothing to lose in hazarding an action: it was the most desperate ever fought. The Swiss saw one-third of their number and almost all their officers mowed down by the well-directed fire of the Spanish troops, in an extravagant and fruitless attempt to pass deep trenches, and climb walls. Albert de Stein, Arnold de Weinkelried, Hohensax, and many other illustrious names, were among the dead: the loss of the French was nearly the same. They parted two days after in ill-humour, and the former returned to their own country, leaving the world in possession of the secret of their not being invincible any longer.

The endeavours of Charles V., and the other enemies of Francis I., to detach the Swiss from his service, were however unsuccessful; and tempted by the promises of the king to command the next year in person, they furnished new levies. But the defection of the Connetable de Bourbon prevented the king passing the Alps; and his army, ill commanded by Admiral Bonnivet, in two successive campaigns did nothing, and suffered still more from the climate than from the enemy. At the unfortunate battle of the Sesia, a battalion

1523.

1524. 7th April.

of six thousand Swiss formed into a solid square, had the good fortune to stop the pursuit of the imperialists, and save the wrecks of the French army, after the death of the Chevalier Bayard.

Francis appeared at last in person on the scene of action, and his presence induced the Swiss, the Grisons, and the Valaisons to furnish sixteen thousand men; of whom a part was imprudently detached towards Naples, and another went back to defend the Grisons, threatened by the enemy. Misled by the counsels of Admiral Bonnivet, in whom he continued to have confidence, the king gave that fatal battle of Pavia, of which, he said himself after, *tout est perdu hors l'honneur!* The Swiss suffered immensely; of seven thousand engaged, three thousand lay dead on the field, and four thousand were made prisoners. Their courage might be the same as formerly, but it became evident, that other nations had now an infantry able to cope with their own; that confidence in themselves generated by two hundred years of victories was no longer justified by the same superiority.

CHAPTER XXVII.

The Reformation regenerates the Swiss—Corruptions of the Roman Catholic Church—Sale of Indulgences—A Time of Innovation and of great Discoveries—Union and Strength of the Hierarchy—Celibacy of Priests—Auricular Confession—Purgatory—Absolution, &c. &c.—Fanatic Insurrection of the Peasants and Anabaptists in Germany—Zuinglius—Advantageous Ground occupied by the Reformers—Faction of Berne—Eminent Reformers.

THE love of money, and the love of war, those mental maladies of the Swiss, might have found their cure, as they did their chastisement, in these reverses of fortune; but a more potent engine of regeneration was at hand in the spirit of theological inquiry, which now took such powerful hold upon the minds of men. The very dissensions, civil wars, and doctrinal extravagancies, which accompanied the reformation, contributed to the moral end, by affording a worthier aim to the passions of a rude and corrupted people. Mistaken as the new-born zeal of converts may often be, it has still something intellectual for its object; and a fanatic is a nobler creature than a mere sensualist, or even than a mercenary hero.

The events, which ratified this great change in pub-

lic opinion, seem to have burst somewhat suddenly upon Europe; yet the change itself had been long preparing; the abuses of the church having from time to time excited the severest reproof. Peter Waldo in the twelfth, Wickliffe in the thirteenth century, Arnold of Brescia, and more recently, John Huss, and Jerome of Prague, had preached and suffered in the cause. Remonstrances and complaints became universal in the fifteenth century. The loss of liberty and life, to which those who ventured to utter them were exposed, only served to give a new sanction to their doctrines, and the various scandals of the times. Three rival schismatic popes, all infallible, and all anathematizing each other; the undisguised immorality of the whole spiritual body*; and especially

* Young men of the pope's court, designated by the name of *courtiers*, often came with papal bulls, investing them with vacant bishoprics in Switzerland; of which they were so notoriously unfit to take charge, that some of these were driven away, even before the reformation, as *mechans ignorans, qui n'avoient rien de l'esprit de Dieu.* In 1509, four monks had been condemned to capital punishment at Berne for false miracles, and pretended apparitions of the Virgin, and the Holy Trinity; their trial brought to light a number of curious facts, and proved the shameful imposition, practised on the credulity of the times, sufficiently exposed in the writings of the learned Erasmus.

of such pontiffs as Innocent VIII.*, Alexander the VI., and Julius II.; the sale of indulgences by Leo †, and the disputes of Clement with the emperor Charles had finally undermined the faith of Christendom.

In the year 1518, Bernardino Samson, an Italian monk, and agent to the pope for the sale of indulgences, after exhibiting his powers to the magistrates of the principal towns of Switzerland, openly carried on his trade in the inns, churches, and public squares; a flag, with the arms of Leo, serving as his sign. Some of the "bulls" then purchased are still to be seen in the archives of private families, as well as in those of the cantons. Those written upon parchment cost upon an average about a crown, those upon paper about two batz (threepence English); but there were

* A cotemporary poet said of Innocent VIII.,

Octo nocens pueros, genuit todidemque puellas
Hunc merito poterit dicere Roma patrem.

The following epitaph was made for the daughter of Alexander VI.

Hoc jacet in tumulo Lucretia nomine, sed re
Thais, Alexandri filia, sponsa, nurus.

† The sale of indulgences was not a thing altogether new; for Matteolus, who lived in the preceding century, says, they were *as common as hogs in the market.*

others much more expensive. A gentleman of Orbe, called Arnay, paid 500 ducats for one, which Buchat states that he saw; and a Bernese captain, of the name of Vorn Stein, gave his "valiant gray" for a very full indulgence, comprehending not only the souls of his ancestors, but all the soldiers of his company, in number 500, and all the vassals of his lordship of Belp, all redeemed for a horse!

Other bulls there were, authorizing the purchaser to choose his own confessor, who acquired, *ipso facto*, the power to relieve him from any vow or promise, and even to absolve him from perjury. It may be easily supposed that the concourse of purchasers would be prodigious. The monk carried from Switzerland, for his own share of the profit, the sum, then enormous, of eight hundred thousand crowns, besides a great quantity of gold and silver plate.

No dereliction of former principles should make us forget an old and indisputable claim upon the gratitude of mankind. To the clergy, Europe was indebted for preserving alive, during ages of darkness, the last spark of antique civilization, for mitigating barbarian violence with something like Christian gentleness and mercy, something like law and justice, where otherwise brutal force had ruled alone. But it cannot be denied, that the

long and undisturbed possession of power had at last operated upon the Romish clergy, and it does on all men. Their celibacy, finally established in the eleventh century by Gregory VII., one of the deepest politicians that ever occupied the papal throne, left them disengaged from all vulgar cares, affections, and ties of family. A separate order in the state, insulated and permanent, with one interest and object common to all the members; the greatness and glory of the hierarchy and its chief; the unchanging views and policy pursued by them for centuries, with a perseverance, an energy, and unity of will, unattainable by any individual, had made them the depositaries of all the knowledge, and of much of the wealth of Europe. The influence acquired by auricular confession, by the doctrine of purgatory and the relief of souls, and by the excommunication or indulgence not only for the future, but for the past—formed, in times of ignorance and credulity, the basis of a prodigious power, the duration of which could only be abridged by the enormous abuse made of it.

But at the commencement of the sixteenth century, assuredly until our own times the most remarkable period of modern history, civil society seemed once more resolving into its elements;—all established things and received opinions were put

in question—all human passions, affections, and prejudices at issue—learning contending with ignorance—religion with superstition—liberty with despotism—wealth acquired with wealth transmitted—personal merit with ancestry; and a baneful thirst for fame, or the mere vanity of the moment, assuming the mask of religion (as in our days of philosophy), and disgracing human reason in its own eyes. Men took a colour of enterprise from the stupendous events with which they were grown familiar; boldness of deed kept pace with boldness of thought; new seas were explored, a new world discovered, the hidden monuments of ancient art brought to light; natural science enriched, not to say created, the classic works of ancient sages made accessible by means of printing, and the words of holy writ laid open to every eye. Princes and pontiffs appeared, illustrious like the age.

A. D. 1516. Ulrich Zuinglius, a curate of Glaris, born in 1484, was one of the most eminent of the reformers, and began, even before Luther, to pronounce the scriptures to be the only rule of Christian faith. He was approved and countenanced by the powerful abbot of Einsiedlen, and bishop Schinner appeared for a while to adopt his tenets. He preached against the sale

of indulgences, and insisted on the necessity of simplifying the forms of worship, and abolishing images. The court of Rome 1521. thundered against the new doctrines as soon as they were known, and obtained the assistance of the emperor to check the further progress of heresy, and punish its propagators. Zuinglius published an apology, which was read with prodigious avidity by all ranks of people; and public conferences were appointed at Zurich, to which the theologians of opposite principles were invited. The catholics had greatly the inferiority in debate, and one of them lamented publicly that "*their bishops should attend more to their mistresses than their books.*" Both sides proclaimed themselves victorious, and no end whatever was gained. Those who rail at such, the usual result of religious controversy, will find it difficult to point out any other polemic inquiry after truth, of whatever sort, that ever led to much more satisfactory conclusions. There is scarcely any common measure of reasoning among men, and it seems as if we believed only what we are pre-disposed to believe. Dispassionate bystanders occasionally discern the truth, and profit by the controversy; those engaged in it never do.

The advocates of reformation stood upon the vantage ground, arguing, from abuses too flagrant and notorious to be denied, against old institutions, which they meant to pull down, whilst the defects of those they intended to substitute could only be matter of conjecture. When Zuinglius and Luther so effectually denounced the authority of the pope, in matters of faith, Servetus had not yet been burnt alive at Geneva for questioning that of Calvin; and the two centuries of civil wars which followed the reformation were not yet in history! These objections, however, applying with equal force to the establishment of Christianity itself as to the reformation, prove nothing against either. There is a possibility of abusing the best and most valuable things; but in our ignorance of futurity, and incapacity of combining remote chances, our only safe rule is to cling to what is just and right in itself, at any hazard, and leave futurity to higher wisdom.

The reformers, prepared for the encounter by years of meditation, were, besides, greatly superior in natural powers and character to their opponents; hardy gladiators, they came forward to meet adversaries already vanquished by the consciousness of their own deficiencies and want of practice.

The council of Zurich, adopting the new doctrines, enjoined their reluctant clergy to preach only from the gospel, and to follow no authority but that "derived immediately from the divine source." In other words, to admit no interpretation but that of the reformers. "We might have lived for ever in peace and harmony," was the ingenuous observation of Faber, vicar of the bishop of Constance, and better versed in the tradition of the church than in the scriptures, "although there never had been such a thing as the Bible;" and cardinal Hesius observed, in the same spirit, that "the affairs of the church would have been upon a much better footing, if the gospels had never been written*." Learning fell into as much disrepute as the Bible among the clergy of the old establishment. "To understand Greek rendered a man liable to be suspected of heresy, and Hebrew for more†." In 1523 the magistrates of Lucerne having ordered the house of Colinus, a learned professor, to be searched for heretical books, one of the monks, who performed the office, meeting with a Homer, called out "This is Lutheran! all that is Greek, is Lutheran!" The same ideas were

* Buchat's Hist. Reformat.

† Claudius Despenser.

expressed from the pulpit. "There is a new language, called Greek, invented by the heretics," said a preacher to his congregation, "and a book printed in that language, called the New Testament, which contains many dangerous things. Hebrew is another new language; whoever learns it becomes a Jew *!"

The peasants of Germany, groaning under the yoke of their lords, secular and spiritual, and very imperfectly understanding the principles of evangelical reformation disseminated among them, supposed that indefinite liberty followed of course, and that all earthly power had ceased with the power of Rome. They rose in many places under the guidance of warlike prophets, destroying with insane violence the lives and property of most of those who fell into their hands. The fire first kindled in Thuringia, spread over Saxony, and reached Switzerland itself. These deluded wretches were called Anabaptists, because they maintained the necessity of a second baptism for adults. Some of them having spent a day of festivity together, in the town of St. Gall, and at the house of one of the fraternity, who had two sons; one of these last, in a fit of religious frenzy

* Hist. Zuinglius, by M. Hess.

and probably of drunkenness also, declared it to be the will of God, that his brother should cut off his head! The brother catching the inspiration, and calling aloud, "Father, thy will be done," bade the victim dispose himself for the stroke, and with an axe severed his head from his body in the presence of their parent, and of the whole congregation, "who thanked God for the infinite grace, with which the holy deed had been accomplished." At Munster and other places, these unhappy zealots having committed many more acts as extravagant and scarcely less atrocious, were at last hunted down like wild beasts, and one hundred thousand of them destroyed in the short space of three months. The reformers, of course, disclaimed all congeniality of opinion with them. Zuinglius and Luther wrote, to show that nothing in their tenets countenanced such enormities; but the cause of the reformation suffered nevertheless, from so fatal an example of the danger of assailing established institutions. That such a danger always exists is not to be denied, nor likewise, that it seldom becomes imminent and formidable, unless when, from an obstinate resistance to all reform, excessive abuses lead at length to excessive remedies. Had the Romish church listened in time to the admonitions of

several councils, and to the voice of all Europe, that violent separation called the "reformation," might have been avoided.

Both parties offered on all occasions, to *prove* disputed points, to *establish* their doctrines by incontrovertible arguments, and effectually *confute* and *convince* all opponents, much as a disputed account is settled by addition and subtraction; seemingly ignorant, that in debate two and two are not always four, as in arithmetic. Berne ordered public conferences, which lasted nineteen days, and which ended, like those of Zurich, in favour of reform.

The debates were carried on in Latin, that the French and German disputants might meet on equal terms; but six of the cantons, and most of the Catholic bishops, anticipating the result, declined appearing in the assembly. Conforming, however, to its decrees, the government of Berne at once abolished the old forms of worship. In the fervour of their zeal, they even declared pensions from foreign princes to be abominations before the Lord. Some districts murmured at the loss of their images and relics, whilst tithes and censes were continued as heretofore; but their complaints proved unavailing. Nuns and friars were allowed to marry, or to remain in their

convents. Agnes de Mulinen, says Buchat, married the guardian of her convent. Catherine de Bonstetten, who was treasurer, entered likewise into holy wedlock with William de Diesbach, the ceremony taking place in the cathedral of Berne, to the amazement of the citizens. The motives of other convents were less equivocal. The abbots and monks of Cappel, near Zurich, with one accord, relinquished their convent with all its great estates to the government, and the buildings were appropriated to a seminary for education. Nicholas de Diesbach, coadjutor of Basle, declined the bishopric, which devolved to him on the death of the incumbent. The future reversion of religious endowments to the state was perhaps no inconsiderable argument with the council of Berne, in favour of the reformation; but it must be confessed, that the revenue so obtained was often again applied to public objects of more utility, to hospitals, schools, or the support of ministers.

The formation of the Catholics and Protestants into two parties, almost equal in numbers and strength, seemed for a time to threaten civil war and the dissolution of the Helvetic league. Some cantons, determined upon outward conformity, assigned the choice between the two religions to

the majority to others more rational, left it to individuals for themselves. Glaris thus calmed the violence of dispute by an edict of perpetual toleration. The churches were to be used in common, by the two communions; and Valentine Tschudi, curate of Glaris, as well as John Heer, his vicar, preached to each alternately, with admirable impartiality. Six of the thirteen cantons, Lucerne, Uri, Schwitz, Underwalden, Zug, and Fribourg, remained decidedly Catholic, and formed a league for the defence of their faith: the people of the Valais joined it. The seven protestant cantons likewise formed a league, which they called the "Christian Coburghership." Both parties professed the utmost liberality of sentiment towards each other, and both were continually detected in secret machinations, which kept off mutual ill-will. In 1529, they were on the point of coming to hostilities, four and twenty thousand men having actually taken the field. The administration of the subject bailiwicks, common to several cantons, catholic and protestant conjointly, had been the principal occasion of dispute, each of the associated sovereigns pretending an equal right to direct the consciences of their common subjects.

A schism also now arose among the protest-

ants *, respecting the real presence of the body of Christ, in the Eucharist; and the principal men among them, Zuinglius, Œcolampadius †, Bucer, on one side; Luther, Melancthon, Osiander, on the other, were assembled at Marbourg by the Landgrave of Hesse, Philip, surnamed the magnanimous, in the hope of conciliating their differences; but he failed in his purpose: the apostles of toleration could not tolerate any variety of opinion in each other; and when the prince insisted upon their parting in peace, Luther, as he held out a reluctant hand, declared he did so "as to fellow-christians, not as to brothers." Philip gave the preference to the arguments of Zuinglius. The obstinacy with which each of the reformers maintained the opinion he had formed from an impartial study of the Scriptures, might prove their veneration for and paramount obedience to revelation. To yield any point on consideration of expediency would have been to

* A number of princes and free towns of Germany *protested* against a decree of the imperial diet assembled at Spire, restricting the liberty of conscience, previously granted; thence the name of *Protestants* given to those of the reformed church.

† It was the fashion of the times to torture modern names into Latin or Greek ones; the real name of this Œcolampadius was *Hauschein*.

fall into the fundamental errors of the church of Rome: yet on difficult points, when candid and able men are divided, contrary opinions may fairly be considered in the light of an argument operating on the mind and modifying belief, not an authority to which it yields from prudential and worldly motives.

A new auxiliary now entered the ranks of the Swiss reformers. Farel, a gentleman of Dauphiné, full of zeal, and likely by his talents to obtain great influence wherever the French language was understood, preached at Neufchâtel, and throughout the Pays de Vaud. At Lausanne, a number of burghers, after hearing him, pulled down and burnt the images and relics, and obliged the "*idolaters*" to submit the question of faith to a general "vote." A majority of eighteen only decided what the minority should believe, and placed upon the door of the church the following liberal inscription. "*Le 23 Octr.* 1530, *fut ôtée et abolie, l'idolatrie de céans.*"

CHAPTER XXVIII.

Spirit and Manners of the Times—Death of Zuinglius.

In order to convey a more intimate idea of the private life and familiar proceedings of the reformers; of the obstacles they had to encounter; and of the people whom they addressed, the following details are extracted from Buchat's History of the Reformation.

Women were the most violent on either side. Those of Orbe of the catholic faith, suspecting a protestant schoolmaster of having contributed to the dismissal of their favourite preacher Juliani, a monk, attacked him in the church, kicked him, and beat him almost to death. Hollard, another protestant, who had interrupted Juliani in the pulpit, they seized by the beard, dragged him about, planting their nails in his face, and would have killed him, had not the chatelain of Orbe found means to extricate him under the pretence of sending him to prison. Farel attempted to preach at Orbe, but as soon as he began they called out "*chien!*"—"*matin!*"—"*heretique!*"—

Si diable!" with such a horrible noise, that you could not have heard thunder. Farel was hardened against such things, and persisted; but they raised a mob against him, and he was very much beaten; returning nevertheless the next morning to the public square, and attempting to speak, he met with a similar reception.

At night the council assembled, and he attended with the deputies of Berne and Fribourg; but coming out of the council-chamber, the women way-laid him at the door, seized, and were beginning to beat him, when Pierre de Glaress, a gentleman of high influence in the town, delivered him from their fury, saying, "Ladies, pray forgive me, I have him in charge." The most active of these women was a person of quality from Fribourg, married to a gentleman at Orbe; but soon after it pleased God to touch her heart, as formerly that of Lydia, and she and her husband embraced the reformation.

At Grandson, where the catholic and protestant services were performed alternately in the same churches, the catholics, thinking one day that the protestants staid too long at their devotions, and being impatient to hear mass, set on their wives, who burst in violently, and drove away the congregation and their three ministers, Froment, Gri-

vat, and Farel; the latter in particular long bore the marks of their animosity upon his face. The magistrates of Berne and Fribourg began a judicial investigation of these proceedings; but the protestants taking the law into their own hands, broke the images and altar to pieces, at which the council of Fribourg was much offended.

The magistrates of Lausanne, hesitating between the two opinions, and unwilling to disgust the professors of either, endeavoured to conform to the wishes of both; therefore, whilst they commanded the strict observance of Lent, the regulations made by the reformers against blasphemy were no less rigidly enforced. The penalty for the first offence was to kiss the ground; for the second, a fine of three sous; and the pillory for the third. Relics were in general set aside, with an exception in regard to a favourite one, which maintained its situation some years longer, "*la sainte ratte,*" which was no other than a mouse! made holy in their eyes by having nibbled at the consecrated wafers! More fortunate than the monkey, which sometime previous had been actually burnt alive at Paris, "par arret du parlement," and for the self-same act, "pour avoir mangé le bon Dieu."

In another town of the Pays de Vaud, the ma-

gistrates finding it impossible to maintain peace whilst any theological discussions were allowed, ingeniously determined to forbid the speaking about the divine being at all, "soit en bien, soit en mal," as in perfect simplicity they expressed it. Berne had taken possession of the Pays de Vaud, pledged to her by Savoy (as we shall relate elsewhere). In dividing the spoil, Fribourg obtained a share, and maintained the Roman catholic religion in that part of the territory which fell to her lot; but Berne, anxious that the minds of her new subjects should be finally set at rest by arguments, assembled both catholics and protestants by deputy at a meeting, which great numbers of divines, and among others Farel and Calvin, attended at Lausanne, and there the grounds of the reformation being discussed during a great part of the year 1536, the conferences were at length ended by a decree of the sovereign council of Berne abolishing catholicism, and seizing on all ecclesiastical property; a measure which, as we shall see, has since occasioned heavy charges against them.

The compromise which had taken place between the cantons of the two persuasions proved but a hollow peace, and both parties being quite ready to break it upon any one of the innumerable oc-

casions offered by daily insults and aggravation, the catholics had taken the field in 1531. On the 11th of October they unexpectedly attacked Cappel, and defeated the army of Zurich in a battle rendered memorable by the death of Zuinglius. He had accompanied the troops on this occasion, as he had done before his change of religion at Marignano and Novara, in his character of a clergyman, to instruct and console them in life or in death; and being himself mortally wounded, was, after the action, found lying on the field by some catholic soldiers, who not knowing him, proposed "a confessor, and a prayer to the Virgin;" both of which he declined with a feeble motion of the head! "Die then, heretic," exclaimed one of them, as he struck him with his sword. The body was not recognised till the next day, when some fanatics forming themselves into a tribunal, sentenced it to be burnt, and the ashes given to the winds, which was actually executed!

Zuinglius was certainly the best and most moderate of all the reformers, and it seemed for a while as if the cause of the protestants had depended on the life of this single man, so great was the discouragement occasioned by his loss; but the perusal of his writings, fraught with pure morality and inspiring hopes, the remembrance of his

exhortations, and, above all, of a character for mildness, disinterestedness, and wisdom worthy of the doctrines he had taught, soon restored their better thoughts, and supported their courage in adversity.

Humbled now by adverse fortune, they yielded many points, which they had before maintained with arrogance; whilst the catholics, grasping with too much eagerness at these concessions, lost in the sequel by their violence what they had gained by force of arms *.

But the history of the reformation being inseparable from that of Geneva, we must now return some centuries, in order to give an account of the early times of that celebrated city, although it did not then form a part of Switzerland.

* The vanquished protestants were compelled to pay the costs of the war; but Soleure was exempted, on condition of turning catholic!

CHAPTER XXIX.

Total Want of ancient Documents at Geneva—Cæsar its first Historian—Charlemagne—Bloody Quarrels between the Bishops of Geneva, the *Comtes de Genevois*, and the Duke of Savoy—State of Manners prior to the Reformation, equally profligate and cruel.

GENEVA possesses no public documents of an older date than the twelfth century. This deficiency is accounted for by several great fires, that destroyed nearly the whole of the town, in the years 1291, 1321, 1334, and 1430. Its name does not occur in history before Cæsar; yet, being considerable in his time, it might possibly be as old as Rome. The long period from Cæsar to Charlemagne forms another blank in the history of Geneva: the latter being a beneficent conqueror, conferred some valuable immunities upon the town, and made it his *place d'arme* in that part of his dominions. When, after him, his vast empire was divided among his children, Geneva belonged in succession to the kingdom of Arles and the kingdom of Burgundy; but its citizens looked to the emperor as their lord paramount, which, in that age, constituted the highest claim to independence. But as all imaginable rights were

transferable by sale, or barter, or usurped without scruple or much difficulty, during the anarchy of the feudal times, the bishops in consequence of divine rights, the *comtes de Genevois* as officers of the emperor, and the comtes or dukes of Savoy as the strongest, contended, in succession, for the sovereignty of Geneva, and their bloody quarrels fill the whole history of that city before the Reformation. The political constitution of Geneva, and national character of the inhabitants, resulted ultimately from the very calamities to which they were so long exposed; and a few insulated facts, collected from public documents, indicate the progress of both.

We find, A. D. 1385, criminal suits were conducted verbally, and in the common language called Romand, before the syndics elected yearly by the burghers: the torture was not to be inflicted except by lawful judges; the night watch of the town, from sun-setting to sun-rise, belonged to the burghers; neither the bishop nor any one in his name having any jurisdiction during these hours.

Geneva was not only exposed to injuries from the Duke of Savoy, as an enemy, but liable to suffer on his account as subjects: we have seen already, how Berne and Fribourg, at war with

Savoy, had exacted the enormous sum of 28,000 crowns from Geneva, towards which every inhabitant was made to contribute the twelfth part of his fortune; and all the plate in the churches was melted down.

One of the dukes wishing to punish the Genevans for their habitual undutifulness, obtained possession of the patent for their fairs, by means of the bishop, who had access to the archives. These princely thieves disposed of the patent for a valuable consideration to Louis XI., who transferred the fair to Bourge, and afterwards to Lyons, where it still was when Spon wrote (1680), notwithstanding the reiterated complaints of the Genevans. We find in Tscharnen, that this patent or privilege of holding fairs came from the emperor. It appears very strange, that the patent of any sovereign should convey a right or privilege to be exercised in the dominions of another sovereign, and that a king of France should require the permission of an emperor of Germany, to establish fairs in his own towns*. 1460.

* Before the invention of regular posts for letters, and of bills of exchange, those great assemblies of merchants and traders, called fairs, were extremely useful, and even indispensable: the paltry remains of those institutions which we see now give no idea of their importance.

Bishop Jean Louis advised a treaty of perpetual alliance with the Swiss, as a security against the encroachments of the dukes of Savoy, but the Genevans declining the treaty (it is difficult to understand why), the bishop contracted in his own person only; another instance of the singular jumble of political rights. Spon tells a story of this same bishop which deserves mentioning, because it gives an insight into the manners of those times. Two gentlemen of his establishment were his particular favourites; one of them, the *prothonotary* Pommier, commander of Renel, in Piedmont, being very jealous of the other, resolved upon a bold scheme of revenge: his rival slept, it seems, in the apartment of the bishop, or was, indeed, his bedfellow; there he was seized, by a *coup de main*, placed on horseback in his shirt, and thus carried off. Fortunately for him, a younger brother of the prothonotary, who was of the party, lingering after the rest to speak to some ladies, was known, and pursued; the portcullis at the gate grazed the croup of his horse, which fell, and he was taken, and kept as a hostage for the favourite, who obtained his release by that means. The bishop, however, who was not a man to let such an insult pass unrevenged, watching his opportunity, set off with forty horse, and reached

Renel unexpectedly one night, as the prothonotary was giving a great entertainment to the ladies of Piedmont; he seized him in the midst of his guests, and had him despatched by his followers! The same prelate showed more christian spirit upon another occasion: caught with the wife of a carpenter, by the husband, and so severely handled as to be in danger of his life, he not only forbore all revenge, but presented the injured man with the coat he wore on the occasion, which might, indeed, have suffered, as well as his person.

After his death there was a contested election to the see of Geneva, the people, the chapter, and the pope, naming each a different candidate; the competitors pleaded in law, compromised, quarrelled, and fought. At last, Francis de Savoy, the bishop appointed by the people, took possession, by the help of his brother the duke, in spite of pope and canons: he was excommunicated, but did not mind it; the thunder of the church hurled on all occasions, even the most trifling, for the recovery of a debt for instance, was often disregarded.

When the Duke of Savoy succeeded in appointing a bishop, the latter was bound to share with him the emoluments of the see, which were collected by an agent appointed by the duke; the

bishop indemnified himself by exactions upon the clergy, and they upon their flock.

Spon gives a long and tedious account of endless quarrels, very intricate and absurd, and often terminating in bloodshed, between the duke, the bishop, and the people, one generating another. As the only means of forming some notion of the mode of life and true history of the times, we shall state a few incidents.

1515. Jean Pecolat was a merry companion, and a man of wit, welcome among people of fashion: dining one day with the bishop of Maurienne, canon of the chapter of Geneva, and with the abbot of Beaumont, the latter abused the bishop for something he had done to him, upon which Pecolat observed, Never mind, *non videbit dies Petri!* (he will not see the days of St. Peter), alluding to a particular disease not very becoming his station, under which the prelate was known to labour, and which was likely to shorten his days. These words were repeated to the latter, who chose to ascribe to them a criminal sense; and some persons of his household happening to be ill in consequence of having tasted of a dish intended for his own table, Pecolat was accused of having mixed poison, and a legal process instituted secretly against him, by a judge called *Grossi*. Some

friends of Pecolat adopted a mode of testifying their displeasure on the occasion, which might appear at that period very ingenious, and not deficient in humanity; they *hamstrung* the judge's mule, and, not satisfied with this, cried about the hide for sale, and punning on the name of the judge, called it a *Grosse bête*. This excellent joke was not relished by the latter, who insisted upon the peculiar heinousness of such an offence, against a man of consequence like him.

The culprits hid themselves, but being summoned to appear under the penalty of 100 florins, they pleaded by their attorney, that they could not be fined more than 60 sous, unless it were a case of felony, whereas, it seems, they were only accused of a pun. A safe conduct was granted to appear and plead, *pede non legato*, and they were ultimately dismissed, with an injunction to behave better in future, Berthellier excepted, whose case the court chose to adjourn indefinitely. This Berthellier was obnoxious to authority on many accounts, for he had once, in a fit of indignation at some act of injustice, taken the patent of an office he held under the bishop out of his pocket, and tearing it to pieces publicly called out, *If I have set a bad example in accepting of this—see—I repent it!*

Jean Pecolat, the original offender, and in flight having imprudently ventured within the line, was seized, and put three times to the rack, in order to make him own, that by his *non videbit dies Petri*, he meant to threaten the life of the prelate; he persisted a long time in his denials, but one day that he was suspended by a rope, in the presence of the bishop, then at dinner, and the servants laughing at him, saying that his accomplices had owned all, they drew from him the confession they wanted.

Berthellier, in the mean time, had, fortunately for him, withdrawn to Fribourg. The princes (the duke and the bishop) having come to Geneva to look for him, he offered to return and take his trial, provided a counsellor of Fribourg was present: to which he was answered, that the syndics needed no assessor (associate judge): he replied, that Pecolat had not been brought before the syndics: upon this the latter was brought before the syndics, and there he retracted what he had previously said. The duke and the bishop wanted to torture him again, but the syndics objected, saying, that the evidence against him was not sufficient. The princes consulted the learned lawyers, who differed in opinion; those who belonged to the establishment giving an opinion against

him, and the others for him. The syndics wanted to gain time, but the princes pretended, that the prisoner, being a clerk, was to be tried by an ecclesiastical court, and transferred him for that purpose to the prison of the bishop, where the torture was about to be applied; but he was ill, and the doctors of medicine not agreeing better than the doctors of law had done, could not determine among themselves whether he could bear it; those who thought he could, were of course believed; yet, remembering the constancy he had shown before, they suspected he had some charm about him, and that it might be in his beard, which was very long and fine: therefore a barber was sent for to shave him. Pecolat seeing himself reduced to this extremity, and wishing to make it impossible for him to speak, took advantage of the barber turning aside to empty his basin, seized the razor, and cut off a part of his tongue. This singular expedient saved him for the present, but after he had got well, they thought again of the torture. The judge, *des excés clericaux*, hesitated, however, declaring *it was wrong to torment this poor man so*; for this judge was the son of syndic Sevreri, whom the duke hated, and had his head cut off afterwards. In the mean time, the friends

of Pecolat; making interest with the archbishop of Vienna, metropolitan of the bishop of Geneva, obtained an order to have him removed to his court. It was a dangerous undertaking to deliver this order: Bonnivard, prior of St. Victor, a young man *more resolute than prudent*, says Spon, undertook it; being of a good family, and well connected in Savoy, he could do it with less risk. The delay for obeying the order, repeated three times, being expired, excommunication followed of course, which was published by a paper pasted on the church door, three days before Easter. When the people saw it in the morning, they began to murmur aloud, and assembled tumultuously, exclaiming against those who were the cause of this excommunication, *To the Rhone!—to the Rhone! the traitors and bad officers, who prevent our receiving our Lord!* The episcopal officers, intimidated, gave an order to liberate Pecolat, which the people carried, and took him out just in time, before the arrival of a bull from Rome, which annulled the proceedings of the metropolitan of Vienna, and forbade the liberation of Pecolat: the latter retired to the convent of the Cordeliers as an asylum, and remained there without speaking for a long while, but at last, as Spon

informs us, he recovered the use of his tongue by the intercession of a saint, to whom he had made a vow.

Berthelier was, during that time, negotiating at Fribourg for an alliance with Geneva; and the magistrates of Fribourg gave him a safe conduct for Geneva, under pretence of his suit, but in reality to transact the business of the alliance, in which, however, he met with great difficulties, as the duke had a powerful party in the town. The patriots were called Eidgenossen, (men bound by the same oath, confederates), from which the vulgar appellation of *Huguenots* is derived, and the ducals were called Mammelukes, from the name of the armed slaves of the sultans of Egypt.

The duke suspecting what was going forward, seized two young Genevans, who were travelling in Savoy, and put them to the rack, to draw from them what they knew of the conspiracy of Pecolat, in which Bonnivard was supposed to be implicated. They owned what their tormentors pleased, but retracted before their execution all they had said. Their heads were hung upon trees on the borders, in sight of their friends and countrymen, with this inscription, *These are the heads of the Genevan traitors.*

The indignation of the citizens, although very

great, produced only a humble remonstrance, and expressions of *sorrow*, on account of two of their citizens having been thus treated. The unfeeling and insidious answer they received had, however, the good effect of forwarding the treaty of alliance with Fribourg, to which a great number of the inhabitants subscribed individually, not the town, and with the reserve of the duke's rights. Seeing this, he approached Geneva with an army of 6 or 7000 men, and encamped at St. Julien, from whence he sent his herald, who was introduced in state into the council. He held in his right hand a wand, and the ducal coat of arms hung on his left arm. He was desired to take his seat by the side of the syndics, and state the subject of his mission. This he declined three times, then went and seated himself of his own accord, not by the syndics, but higher, and said, "Do not be surprised, my lords syndics, and council of Geneva, if I did not take a seat when invited to it, and do it now—the reason is this: I come on the part of my most dreaded lord and master, and yours, my Lord Duke of Savoy, to whom it does not belong to you to offer a seat, but him to take it when and where he pleases, and above you, as your sovereign prince, and as I, who represent him, have done. I was commissioned to

direct and command you to prepare his apartments in the town-hall, with such splendour and magnificence as befits a prince of his sort; likewise, that you provide for his company, consisting of 10,000 foot, besides cavalry, his intention being to be thus attended when he administers justice." He then withdrew, leaving them to deliberate. Being recalled soon after, he was thus addressed: "We are surprised at what you have said, and done: that my lord duke is your prince, we admit; but ours he is not; for, although his humble servants, we are not his subjects nor his vassals, and will not suffer it should be so said. You demand lodgings in our town-hall for 10,000 foot, besides horse, for the purpose of administering justice. We do not understand what this means. It was not his custom to lodge in our town-hall, nor to come with such a retinue: it is not necessary for trying causes, nor did he ever sit here as a judge, but our lord bishop, and our lords syndics and council, as is stipulated in the franchises and liberties of our town, to which he has sworn," &c. &c. The herald replied, "Gentlemen, you will not then grant the demand of my lord, nor obey his command?" "No," they said. Upon this he put on his coat of arms, and said, "I proclaim you rebels to your prince, *à feu et à*

sang, and as a pledge here is my wand," (he threw it on the floor:) "let who pleases take it up!" As the herald went away, a dozen knights, in boots and spurs, who had been waiting without, came in and said, "*Syndics and council of Geneva, think on my lord duke, or you may have cause to repent it!*" So saying, they withdrew and mounted their horses.

When the people came to know what had taken place, they were astonished. Most of them, seeing they had nothing left but to submit or die, preferred the latter, says Spon, and resolved to sell their lives very dear. In the end, however, they thought better of it; for, after stretching chains across the streets, placing sentinels, and closing the gates, they opened them again, on the faith of a treaty with a prince, who, they well knew, never kept his word, and when the heads of two of their citizens, betrayed and wantonly put to death by him, were still exposed within sight of their walls.

The tyrant behaved as might have been expected. Instead of 500 men, who were to come in with him by express stipulation, his whole army entered the gates; and the very next day the public crier gave notice, that whoever should be found abroad with any weapons of offence or defence, or with them at the windows, should be

punished with three strokes of the estrapade*. Insults and injuries of all sorts were daily inflicted on the citizens, till news arrived, that 6 or 7000 men were advancing from Fribourg, across the *Pays-de-Vaud*, and that the governor of that province had been taken up as a hostage. The duke did not wait for them, but, evacuating the town, removed to Thonon. He even subscribed a treaty, binding himself to pay 4000 crowns to Fribourg as an indemnification; but the Genevans had to find the money. They carried on their private negotiations with the duke, still encamped at Thonon, in which each party displayed an equal share of base artifice. Slaves, born and bred in fetters, cannot assume at once the sentiments of freemen; but princes, however bad and however base, are expected to preserve some outward dignity in their vices.

At last the Swiss cantons interfered, and the two parties submitted to their award. The duke was forbidden to encroach any more on the jurisdiction of the bishop, or the liberties of the town; but the coburghership of the citizens with Fribourg was set aside. The plague, which broke

* A cruel punishment by which the sufferer was thrown down from a height, tied with a rope, by which he remained suspended before he touched the ground.

forth soon after this peace, secured the continuance of it for five or six years.

Whether Berthelier had given the duke some new cause of offence, or the old one was not forgotten, he was again seized by his orders in the name of the bishop. This unfortunate man was at his own door, playing with a tame weasel he had in his bosom, when he saw the Vidomne, called Consilii, and his guard approaching to take him, and might have escaped, but he disdained to fly. As Consilii was taking his sword from him, the prisoner, said proudly, "*Gardés la bien, car vous en rendrés compte!*" He was carried to the tower of Cæsar, on the island, without any one making the least opposition. Being told to "ask pardon of my lord!" he replied, "What lord?" "My lord of Savoy—your prince and ours!" "He is not my prince, and if he was, I am innocent, and need not ask his pardon." "Then you must die!" Upon this, Berthelier made no further reply, but began to write upon the wall, "*Non moriar, sed vivam, et narrabo opera Domini.*" The provost came to examine him, but he told him, "When I am brought before the syndics, who are my lawful judges, I shall answer them, not you, to whom it does not belong to try me." The next day the provost came again, at-

tended by the executioner and a confessor; and, upon Berthelier declining again to answer, he passed sentence of death, which was executed forthwith at the foot of the tower. His head was hung up by the side of the two others already mentioned. The citizens, amazed and terrified, did not stir: their syndics were dismissed, others appointed by the duke, as well as all other public officers, without opposition on the part of the people; and when the cantons appeared disposed to interfere again in their favour, they were awed into a servile declaration, disowning the complaints made against the duke, and excusing even the death of Berthelier.

The vidomne, who had arrested Berthelier, was a high officer of the prince-bishop; this worthy magistrate kept, it seems, a house of ill fame, under the management of his wife: *ce qui servoit*, Spon tells us, *à faire bouiller la marmite!* A gentleman, named de Sardet, a member of the council, who frequented their house, having spent all his money, Consilii (the vidomne) pretended jealousy about his wife, in order to forbid his visits. A quarrel ensued, in the course of which the valet of Sardet stabbed Consilii mortally; his widow appeared inconsolable and furious against Sardet, but in the end she married him!

The duke, lately married to a lady from Portugal, brought his bride to Geneva, where great preparations were made to receive them; the lads and lasses of the town were formed into companies, the former clothed in sham armour of silver tissue, and, pike in hand, personified knights; and the latter, with their garments elegantly tucked up above the knee, armed with bows and arrows, and buckler on the left arm, were amazons. The daughter of master Grand-Jaques, the apothecary, a strapping handsome girl, who managed her ensign, Spon says, as handily as a Landsknecht, led the fair company. Yet the duchess, when she appeared in a car resplendent with gold and precious stones, scarcely deigned to bestow a glance on either knights or amazons. The Genevans, in great wrath, talked of pulling down the scaffolding prepared for the intended *fête*, but they did not do it, and danced at this *fête*.

The duchess became afterwards better pleased with Geneva, and said, it was a *buona possada* (a good inn). As to the duke, he took this opportunity of wreaking his vengeance on the only Genevese who durst openly dispute his sovereignty over the country. Counsellor Levrery was put to death after a summary trial, and without any opposition on the part of his countrymen. On his

way to the place of execution, the undaunted patriot repeated the lines applied to Berthelier:

> "Quid mihi mors nocuit? virtus post Fata virescit
> Nec cruce, nec soevi gladio perit illa Tyranni."

We really think a parallel between the good old times and our own can scarcely ever be injurious to the latter, bad as they are.

CHAPTER XXX.

The Genevans admitted as Co-burghers of Berne and Fribourg—The Reformation—It regenerates public Spirit among the Genevans—They repulse the Savoyards—Berne and Fribourg take the Pays-de-Vaud—Mutual Intolerance—Calvin—Farel—State of Morals before the Reformation—Geneva a Place of Refuge to Foreigners, John Knox, &c.—Servetus—Beza—Calvin's Life and Death—An Anecdote.

THE war in Piedmont, and capture of Francis I. removed the duke from Geneva for a while, allowing the secret hatred of its inhabitants to get the better of their fears. We see, accordingly, one of the syndics breaking his staff upon the head of the duke's treasurer for calling him an *eidgnot*, and when cited to appear before the duke, answering he had no orders to give them. The bishop, pretending to side with his flock, advised an appeal to Rome, and got them to put three hundred crowns into his hands to defray expenses, yet never made the appeal. The duke's people still contrived to carry off, now and then, some obnoxious citizen, but as often as the cantons interfered and threatened, the prisoner was released. At last the Genevans applied almost unanimously to be admitted co-burghers of Berne and Fribourg, and succeeded: the oath was taken at Geneva, in

a general assembly of the people, the 12th of March, 1526, and sanctioned by the bishop, then on bad terms with the duke. This was the first effectual step towards independence; it was followed by some important changes, such as the abolition of the vidomna, to which a tribunal, composed of five judges, elected annually by the general assembly, was substituted. The council of the *deux cent* was also instituted, or better organised. Some of the mammelucs, accused of conspiracy, fled, and were condemned, but no blood was shed: they joined the *Confrerie de la Cuiller** in their hostile enterprises against their late countryman, assaulting, whenever they found a favourable opportunity, the miserable earthern ramparts of the town. A. D. 1526.

The spirit of Pecolat, of Berthelier, and of Levrery, was yet far from animating their countrymen, for we find them imploring the assistance of Berne and Fribourg, instead of following the great example these towns had given them, and submitting to the exactions of their new friends, rather than take upon themselves the care and danger of

* A society of nobles of Savoy, and the *Pays-de-Vaud*, who had sworn eternal war to Geneva; the first idea of this association had been suggested while eating their porridge, thence the *spoon* hanging from the necks of the confederates.

their own defence. It was to the Bernese auxiliaries, received within their walls, they were indebted for the first seeds of the Reformation; they taught them at least to contemn the ceremonies of the Roman church, and destroy the images of saints, and consecrated relics.

The same hostile and treacherous conduct of the Duke of Savoy induced at last decisive measures on the part of Berne and Fribourg; he was compelled to subscribe the celebrated treaty of St. Julien, by which he pledged the *Pays-de-Vaud* as a security to keep the peace, and bound himself to pay an indemnity of 21,000 crowns to these two protecting cantons. But stipulations were of no avail with that prince, and he soon resumed his usual course of depredations, wholly disregarding the danger he ran of forfeiting a valuable province, for the sake of a single town, the possession of which was an object only to his wounded pride, and love of revenge. Scarcely a week passed without some enterprise against Geneva.

In the meantime a revolution was taking place among the inhabitants, more important to their future independence and security than either ramparts or treaties. The apostolic eloquence of Farel, and other reformers, had not been exerted in vain, and the new doctrines made a rapid pro-

gress, although opposed with great violence by a part of the citizens. Buchat, speaking of the divisions in families, on account of religious opinions, says that brothers thirsted for the blood of brothers, and fathers threatened the lives of their sons; these domestic dissensions cost some lives. Fribourg and Berne, one catholic, the other protestant, took part in them accordingly, each threatening to dissolve the alliance with Geneva if their respective faith was not exclusively adopted: a threat at last carried into effect at Fribourg, where the seal of their co-burgher- 1535.
ship was torn off, even before the reformation was finally proclaimed at Geneva, the 27th of August.

Enthusiasm had given a new tone to the national character of the Germans, and it seemed as if the reform of their religion had likewise operated a reform in their public spirit and military resolution: they no longer shrunk from the contest with their inveterate foe; and although the change of religion had added to his violence, they met him often successfully in the field. The duke declared he would never permit that change without licence from the pope: his nobility, whom he could not control on this point, seemed resolved to sacrifice their lives and fortunes for the extermination of the *Lutherans*. This, however, had become more

difficult, for the Genevans had learned to defend themselves, and they made such a carnage of the Savoyards in an encounter which took place near their walls, that their own leader called out: *Ho! mes amis, laissez en au moins pour labourer la terre.* As the duke was endeavouring to starve them by intercepting their supplies, they fitted out five boats, manned with eighty soldiers, to sweep the lake, and by landing along the shores procure provisions by force in his own dominions.

Berne sent seven thousand men to assist the Genevans, and enabled them to extend their plan of warfare, which became offensive instead of defensive. They attacked and destroyed Fort l'Ecluse, and several other strong holds of the enemy. These allies claimed, as a recompense, the vidomnat, the revenues of the bishop; in short, they wanted to conquer Geneva on their own account; the council conjured them not to tarnish their glory by selling too dear the protection they had afforded to the cause of justice, liberty, and religion, and determined them at last to accept, as a compensation, ten thousand crowns: their alliance was confirmed for twenty-five years.

1536. The affairs of the duke wore a melancholy aspect; Francis I. had driven him out of his capital, and invited Berne to seize upon

the Pays de Vaud, a measure for which the duke had furnished them with sufficient grounds, having repeatedly violated the peace, for the maintenance of which that province had been pledged. They took possession of it with little or no difficulty, and Fribourg, although without any such pretence, since they had dissolved the co-burghership with Geneva, took advantage of the circumstance to occupy the county of Romont, which was conveniently situated for them. The last place which held out for the duke was Chateau Chillon, strongly situated upon a rock in the lake. While the Bernese invested it on the land side, the Genevan frigate (so called), lay before it on the lake, and Bonnivard, prior of St. Victor, might hear the cannon of his countrymen raking the walls, which had confined him so long: they released him after a captivity of six long years, during which he had worn a track over the rock, by walking to and fro in his cell: several other state prisoners were liberated at the same time.

The syndics of Geneva had interdicted mass by proclamation, enjoined attendance at the protestant church, and called upon the citizens to take a new religious oath. Those who were averse to the reformation pleaded in vain the fundamental principles of liberty of conscience, as protecting

them equally with their adversaries; the reformers, deaf to the argument, insisted on the catholics proving the mass to be of divine institution, or abjuring the mass, while they reserved to themselves the privilege of judging of the proofs: the Inquisition could not have done better! Bonnivard himself, just escaped from the dungeons of Chillon, was a member of this tyrannical council, but he voted for granting the catholics at least some time to consider. The peasants revolted in several places against the arbitrary mandate, but they were compelled to submit.

1566. August. Jean Calvin of Noyon, in Picardy, who was at that time passing through Geneva on his way to Basle, was prevailed upon by Farel, who knew his great erudition, to go no further, and accept of the professorship of theology. Both these reformers attended a great meeting of divines, called together at Lausanne by the government of Berne: the protestants came off victorious, and catholicism was abolished in the Pays de Vaud. The monks of the abbey of Payerne alone adhered to the old worship, and Fribourg undertook to protect them; a war between the two cantons had nearly been the consequence, which the interference of the Helvetic confederacy alone prevented.

Farel condemned loudly certain Flemish reformers, who maintained that the baptism of infants was not evangelical, and that this sacrament was not to be administered before the age of reason. The council of Geneva forbad all controversy on the subject; as better calculated to shake faith than strengthen it, and banished the anabaptists, who retired to Switzerland, where harsher treatment awaited them, several of them having been executed at Berne. The theologians of these two towns disagreed on various points; those of Berne had preserved holidays, while Calvin acknowledged only Sunday: they used for the communion unleavened bread (azyme), the Genevans used common bread; women at Berne, and especially brides, went to church with their hair hanging loose; that custom appeared diabolical to the Genevan reformers. Another great assembly, of three hundred theologians, met at Berne, for the purpose of considering the dogma of the *real presence*, and rejected it, while admitted by the reformers of Germany; this forms the essential difference between Lutherans and Calvinists.

A new catechism, composed by Calvin, was now ordered to be taught exclusively at Geneva, superseding the one prescribed before, which many

conscientious persons thought would be perjury, as they had sworn to the latter; but Farel, Calvin, and Corault, overruled all scruples, which they deemed pharisaical; worldly people given to all sorts of immoralities had no right, they maintained, to be so nice in lesser points.

The severity they exercised respecting sensual indulgences excited still greater discontents, and became at last so unpopular, that they were expelled at three days' notice. The faction of the libertines, designated also by the whimsical name of artichokes (a corruption of *articulans*) celebrated their victory over the *violets* (the sign of the opposite party), in a manner which illustrates the taste and humour of the time; running about the town with small watch-lights, called *Farets*, burning in frying-pans; a practical pun on the name of *Farel* *, which they were thus harmlessly frying in effigy. Their disputes did not always take such an innocent turn, for the two parties came to blows occasionally; and one Jean Philippe,

* Farel was remarkable for his ingenuousness or *naiveté*, no less than his courage and his learning. He had been a zealous catholic, and said of himself, in one of his letters, *Pour vrai la papauté n'etoit pas tant papale que mon cœur l'a été; s'il y avoit quelque personnage qui fut approuvé selon la pape il m'etoit comme Dieu!*

who had been a syndic, was beheaded for killing a man in one of their quarrels, while another magistrate, guilty likewise, fell over the walls of the town in endeavouring to escape, and broke his neck. The death of Jean Philippe, who had become an enemy of the reformers after having been their friend, favoured their return, and the people began to regret Calvin. He received at Strasbourg, where he had withdrawn, a deputation of the council, inviting him to return, to which he reluctantly complied; but from that time to his death, he retained unbounded power at Geneva.

The register of the council of Geneva exhibits melancholy proofs of the profligacy prevailing at this period, which may serve to absolve reformers from the accusation of unreasonable severity; the reform of morals and the reform of religion could not be separated.

The following abstract of the public record abovementioned may serve to convey some idea of the state of morals at this period.

"Regina bordelli die martio proxima eligatur," and four days after, "Fuit creata Regina meretricium, quæ juravit in forma, sub conditionibus in capitulis exaratis *." It was 1504. to March.

* The French language, or rather the Romand, was not introduced into public documents before the year 1536, although

the duty of this queen to prevent her subjects from straying in *vicis honestis*. In the preceding century (A. D. 1428), we find the prior of St. Victor alarmed at the temptations, or fearful of the scandal that quarter of the town where the *Regina bordelli* resided might occasion, as it lay directly in the way to his convent; he applied to the council to have her removed. "Dominus Prior sancti Victoris associatus suis certis monachis verbo et in scriptis, supplicavit pro lupanari removendo à dicta porta. Cui fuit responsum, quod fuit positum cum deliberatione magna et in loco magis apto et minus damnato quod potuit reperiri." Other parts of the town were besides devoted to the same purposes, especially public

in common use for ten centuries before that time. The latter language appears to have been formed of a mixture of the Celto-Scythic, supposed to have been the language of the Gauls at the time of their conquest by the Romans, with the Latin, brought by their conquerors, and with the language of the Franks and other northern barbarians, who introduced their auxiliary verbs. It appears, that the Latin had ceased to be understood by the bulk of the people, before the ninth century, even the low Latin of Gregory of Tours; for the council of Trent, in the year 813, ordered the bishops to preach in the language *rustique Romand*. It was the language William the Conqueror carried to England, A. D. 1066, and in which his code is said to be written.

baths; the council resolved the 30th of April, 1534, as follows: "Fuit arrestatum quod defendatur hospitibus stubarum hujus civitatis, ne ab inde audeant putanas hospitari, imo et eas quas habent abire faciant et inde fiant cridæ quod putanæ debeant se in loco solito retrahere." Some of those who had embraced the tenets of the reformers with the greatest zeal were at the same time among the most obstinate defenders of the Regina's establishment; but the reformers, who were not men likely to temporise with their duty, censured these obdurate sinners from the pulpit, calling in aid all the severity of ecclesiastical laws, whenever private admonition proved of no avail. The patriot Bonnivard himself was not exempt from the common weaknesses of the flesh, and the register of the council has immortalized some of them. The *consistory*, composed of twelve laymen as well as clergy, imposed at times severe penalties and chastisements upon the *libertines*, who complained in their turn, that this was the tyranny of Rome over again, and the terrors of the inquisition. One Jaques Gruet, irritated at some of his friends the libertines having been made to go down upon their knees publicly in the church; and he himself having been apostrophised by Calvin from the pulpit, with the names of

chien and *goinfre*, took his revenge by putting up against the pulpit in St. Peter's a writing, in which the reform was derided, and the reformers grossly insulted. The unlucky author was discovered, and other blasphemous writings in his house, together with a treasonable correspondence with some foreign prince, whose interference he was endeavouring to obtain in the affairs of Geneva, by setting him against Calvin. Gruet was tried for this crime, condemned, and beheaded.

Early in life, Calvin had published a book much celebrated in its day, on *Predestination and Divine Providence;* the doctrine of which he maintained throughout his life, while acting in direct opposition to it—that is, asserting that men cannot possibly be otherwise than they were intended beforehand, and at the same time employing the severest means to force them to be otherwise. The magistrates of Berne would not pass any approbation or censure on this doctrine, but wisely forbade their clergy preaching on such *high matters*. Those of Geneva, abandoning the circumspection they had shown before, when they declared some abstruse questions respecting baptism to be better calculated to shake our faith than strengthen it, now lent to the doctrine of predestination the assistance of the law. They

kept the physician Bobzec a long time confined for saying that ultimate evil was not consistent with the existence of God, whose infinite goodness and omnipotence cannot be supposed to have doomed beforehand some men to everlasting torments, and some others to everlasting bliss. He would have been made to atone for his opinions with his life, if the other reformed churches in Switzerland, all inclined to his way of thinking, had not interposed in his favour*. A poor dyer of Geneva, who dabbled in theology, was made to beg pardon on his knees before the consistory for saying that *Calvin might, after all, be in an error, and should not be ashamed to acknowledge it, as St. Augustine had done before.* Others were censured publicly, or underwent slight punishments, for differing on this point with the sovereign pontiff of the reformed church; and finally a man of melancholy celebrity was sent to the stake, as we are going to see.

Michael Servetus, a Spaniard, just escaped from the prison of Vienne (in France), into which he had been thrown on account of his book against the Trinity entitled *Christianismi Restitutio,* was

* Mr. Picot, in his History of Geneva, has preserved the artless verses that unfortunate man composed in his prison, and used to sing.

exploring his way to an asylum offered him in the kingdom of Naples, when unfortunately, in passing through Geneva, he was recognised, thrown into prison, and subjected to interrogatories by the council of Geneva upon thirty-nine heads of accusation framed against him by Calvin. While at Vienne, Servetus had carried on an angry correspondence with the latter, of whose rancour he now bitterly complained from his prison, where he was subjected to the treatment of the vilest malefactor, and even refused an advocate to plead his cause, on the ground of unworthiness, although his conduct, if not his opinions, had always been irreproachable. It is true he answered the accusations of Calvin with violent invectives, and may (as Buchat says) have likened him to Simon the magician, and have given him the lie even forty times*: but such were the manners of the

* It has been urged by persons well versed in the history of the reformation, and for whose opinions we have the highest regard, that the insulting language used by Servetus was not only directed against Calvin personally, but against Divine majesty itself: as, for instance, calling the Trinity *Cerberus with three heads!* And that the magistrates of Geneva having been accused themselves of not respecting any of the established dogmas of the Christian world, it was incumbent upon them to show there were dogmas they respected, and caused to be respected within the reach of their power. Thus poor Ser-

age, of which he partook in common with Calvin, who had loaded him with abuse, and suffered him to undergo a sentence he might have prevented. It was in vain that Servetus remonstrated with his prosecutors on the enormity of subjecting him to trial for a difference of opinion in matters of religion—a practice altogether unknown to the apostles, and the primitive church. Being condemned to be burnt alive, he maintained the same opinions to the last; and although very much afraid of death, he met it with unalterable constancy. 1553. 27th Oct.

This state of things did not prevent Geneva, already considered as the metropolis of the reformation, from being the asylum where men of eminence, either by their learning or their rank, and persecuted in other countries, repaired for safety, as well as instruction: for the excesses of an intolerant zeal were carried still further elsewhere, and in the very neighbourhood of Geneva *. The register of the council under date

vetus may have been sent to the stake from mingled motives of religious policy and intolerant zeal! This is but a lame apology.

* At Paris the prisons of the *Conciergerie* were full of unfortunate religionists under sentence of death, but whose execution was reserved for holidays and great solemnities, that

14th October, 1557, states that a multitude of foreigners had been admitted as inhabitants of Geneva that morning; enumerating two hundred French, fifty English, twenty-five Italians, four Spaniards: and on the 30th of May, 1560, another entry in that register states that all the English, who had resided at Geneva during the persecutions in their own country, had come in a body before the council to return thanks, presenting a book, in which all their names were inscribed. The celebrated John Knox was probably one of that number, for he resided at Geneva during the bloody tyranny of Mary; and although he returned home at her death, he came again, and was received a burgher in 1558. It was probably in 1560 that he took a final leave of Geneva, and went to Scotland, where he established the church discipline of Calvin. The name of *Galiaci Caraccioli*, marquis of Vico, occurs among other illus-

the people might have better opportunities of enjoying the sight. On a particular evening of the year 1549, four different companies of those poor people were burnt alive at the same time. The places of execution were, before the cathedral of *Notre Dame*, at the *Place Maubert*, at the *Place de Grève*, and in the *Rue St. Antoine*. The king, on his way to his palace of the *Tournelles*, witnessed these executions. Protestants were burnt without mercy at Chambery, and almost at the gates of Geneva.

trious Italians: the learned *Massimiliano Martinanzo* preached to his countrymen in their own language. Some of them attempted, like Servetus, to question the dogma of the Trinity; but yielded when they were required to subscribe the general confession of faith, or leave the town. One of the Italian refugees, who escaped at Geneva by a feigned acquiescence, relapsing again at Berne into his former heresy about the Trinity, was beheaded there.

One of the most remarkable among the illustrious personages who had retired to Geneva on account of religion was *Epifanus*, bishop of Nevers, who had been likewise a member of the court of parliament at Paris, and counsellor of state. He brought with him *Catherine de Gasperne*, as his wife, saying, that although as an ecclesiastic he could not own her publicly in France, yet there was a marriage contract, which he produced to the magistrates. He lived with his family in Geneva many years, much respected on account of his learning, private conduct, and charity; consulted by the magistrates on public affairs, and admitted a member of the reformed church by Calvin. Unfortunately for him, Jeanne d'Albret, queen of Navarre, and mother of Henry the Great, having heard of his eminent talents in

state affairs, called him to her councils, which seems to have awakened his ambition, and the attention of his enemies. It was discovered that he had thoughts of returning to France, and perhaps into the bosom of the church of Rome, under pretence of forwarding the cause of the reformation, and that the act of his marriage was a forgery. Being taken up, tried, and convicted, on the latter ground, he pleaded in vain in extenuation his paternal tenderness for a son born before he came to Geneva: he was condemned to lose his head on the scaffold, and underwent the sentence.

So general was the spirit of intolerance in those even who claimed toleration, that the illustrious Theodore de Beze, a man distinguished for his peculiar mildness and modesty, as much as for his courage and his eloquence *, did not scruple to publish an ironical answer, *De hereticis a magistratu gladio puniendis*, to a work of great merit published in 1554, *De hereticis gladio non punien-*

* "Would to God," exclaimed the Cardinal of Loraine, after hearing Theodore de Beze, at the conference of Poissy, "Would to God he was dumb, or we were deaf." The eloquence of Theodore de Beze, or rather his exaggeration, was however prejudicial to the cause of reformation in France.

dis, in which the best arguments on religious toleration were exhibited in very good Latin.

Deviations from morality in point of conduct were treated with the same severity as irreligion. A citizen of Geneva, guilty of adultery, and sentenced by the *petit conseil* to be whipped, having appealed to the council of the *deux cent*, was there sentenced to be hanged, being convicted of witchcraft as well as of a breach of chastity.

Cases of capital punishment for adultery became very frequent in the latter half of the sixteenth century. Many of the offenders, either men or women, were drowned in the lake, and many were beheaded. It required extenuating circumstances to come off with whipping, the pillory, or banishment. The least violation of the sabbath was punished by a public admonition at least. Regular attendance could not be dispensed with upon any account; lukewarmness even was punishable, and much more any profane swearing. A gamester was put in the pillory with a pack of cards tied to his neck. We find recorded in the register of the council, that a market woman disguising old butter, so as to make it appear and selling it as fresh, was exposed two hours in the pillory, and banished! The severity with which

more serious breaches of honesty were punished may be inferred from this.

The college of Geneva, its organization and discipline, are due to Calvin, who divided with Theodore de Beze the professorship of theology, the main object of the establishment; to which the study of the dead languages was merely subservient. Philosophy, such as it was in those days, was also taught. Notwithstanding the many defects of this establishment, Geneva, and we may say Europe, was indebted to it for an extraordinary number of distinguished men, who there received their first education.

1564. May 15. Calvin did not long survive to enjoy his reputation, but being naturally of a weak constitution, and worn out by incessant labour, died prematurely at the age of 55. With vast powers of mind, and a prodigious memory, indefatigable, temperate, and disinterested, he obscured these rare qualities by a temper habitually severe and intolerant. Yet in forming our judgment of men, we must consider the age they lived in, and it is probable that modes of reformation more strictly evangelical might have proved wholly unavailing with the cotemporaries of Calvin. He came to Geneva a stranger, exposed to the hatred of par-

ties, and by the mere force of character established an undisputed influence. Not less a legislator than a theologian, the people whom he had found corrupt and barbarous, without morals, religion, or public spirit, came out of his hands austere and simple, religious and patriotic, or at least received from him the impulse which made them so in the end.

The vain subtilties, scholastic affectation, and pedantry of the age, may be observed in the writings of Calvin, and the other reformers; but these defects are far more conspicuous in those who came before them, and likewise after, that is, among the controversists of the seventeenth century.

Calvin having declared war against the scholastic theology, was bound to avoid its characteristic defects. Melanchthon, Beze, Luther, Zuinglius, and some others, were not only men of great learning and transcendent talents, but of a very cultivated taste. Those among them who wrote in the vulgar language for the sake of being generally understood, had to fit the rude and inartificial instrument to a new purpose, in adapting it to didactic subjects, as well as to eloquence and even poetry: while the Latin of those who wrote in the learned language of that time, Erasmus,

Melanchthon, Mullinger, &c. formed on the best models of antiquity, is perfectly pure and elegant. Theodore de Beze, particularly, wrote Latin with surprising sweetness and harmony. Nothing can exceed the vigour and dignity of Calvin in his dedication to Francis I. of his *Institutions of the Christian Religion.* After his time, the protestants, struggling for existence with the court of Rome, and the Jesuits, and most of the powers of Europe, lost much of the noble impulse given to them in the sixteenth century, and confined themselves to the narrow circle of polemical theology.

When it was understood that the illness of Calvin must shortly prove fatal, the magistrates of Geneva, as also the ministers of the gospel, came in a body to receive the instructions of the dying man, and if possible to learn how to obtain a continuation of the blessings of Providence upon the republic. Farel, at the advanced age of eighty, came from Lausanne to be present on the occasion. Calvin chose to partake of the meal prepared for them, and being carried into the room where they were assembled, blessed the food, ate a little, conversed with them, and was taken back to his bed. Among his parting words, we find this singular observation about himself, "I was naturally timid, but by the help of God," &c. In his person he

was not above the middle stature, thin and pale, of a dark complexion, and with bright and penetrating eyes. His habits were frugal and simple. A few personal effects, chiefly books, to the value of about 125 gold crowns, were all the property he left behind him *. He ate once a day, and slept very little: affairs of state and of religion, with a consequently extensive correspondence, scarcely leaving him the time necessary for repose. Yet though his latter years were embittered by disease in many of her most trying forms, gout, stone, head-ache, spitting of blood, and the frequent return of intermittent fever, he never relaxed from his pursuits, and never uttered a complaint, being only sometimes heard to say, lifting his eyes to heaven when in great pain, *Jusques à quand, Seigneur?*

* The following curious entry is extracted from the registry of the council of state, 4th October, 1541. "*Great wages* have been granted to Mr. Calvin (the sum is not stated), in consideration of his great learning, and of travellers being such a charge upon him."

CHAPTER XXXI.

Independence of Geneva acknowledged by France—The Escalade—Great Plague, and thirty-four Persons burnt alive for propagating it—Witch burnt—Various Anecdotes—Remonstrance of the Clergy against the Aristocracy—Refugees of high Rank—Letter of Cromwell—Hostilities of the Duke of Savoy.

HENRY III. of France concluded a
1579. treaty of alliance with Switzerland, in which Geneva was included, and its independence acknowledged, which produced great rejoicings among the citizens. That city was denominated in the treaty, confirmed afterwards by Henry IV., *the key and bulwark of Switzerland.* Yet, as in the treaty of peace between Henry IV. and the Duke of Savoy, in which the allies of the king were mentioned, Geneva was not expressly named, Amadeus pretended that his subjects could not have been the allies of his enemy. Henry did not show on this occasion his usual generosity or even good faith. Geneva and Berne had been induced by his predecessor Henry III. in 1589, and since by himself, to join in the war against the Duke of Savoy, from whom provocations were never wanting. It was an object of great importance for

Geneva to have France and Switzerland for immediate neighbours, instead of Savoy; therefore extraordinary efforts were made in the cause, and the Genevans displayed great ardour, courage, and perseverance, and made equal sacrifices of money during several campaigns. They remained at last in the possession of the *Pays de Gex*, a small district covering their northern frontier; but when peace was concluded at Vervin between France and Savoy, no notice was taken of this conquest of the Genevans and the Bernese, who were left to settle the matter as they could. A second war occurred soon after, followed by another treaty of peace; this time the *Pays de Gex* was ceded to France instead of Geneva; nor was the latter ever paid off large sums lent to Henry IV. That prince was sensible of the injustice committed, and made up for it by fair words and promises in favour of his *dear and good friends*, the Genevans, with which they, as the weakest, were obliged to rest satisfied *. The *Pays de Gex*, taken and retaken

* Paul Chevalier, syndic of Geneva, was sent to Henry IV. in July, 1592, to solicit payment of a part at least of the sums due to the republic. He did not obtain an audience readily, the court being then continually in motion; and, besides, he was required to kneel before the king, which being the homage paid by vassals to their lord, he positively refused. Henry received

several times, had been so cruelly treated by the Duke of Savoy, that the population, now composed of twenty thousand souls, afforded at the peace only two hundred and fifty effective men, and a general hunt was made to destroy the wild beasts, stags, boars, and wolves, which infested the country known long afterwards by the name of the *wilderness*. Geneva, exhausted by this war, applied for assistance to the protestant states. Queen Elizabeth was favourably disposed, and the subscription in England produced more than five thousand pounds sterling, a sum equal to fifty

him notwithstanding with great affability; but instead of money, his own treasury being then very low, he gave the envoy letters to the principal protestant churches of his kingdom, recommending his creditor to their charity. The syndic actually went thus a begging, and returned from his embassy with what he could. He obtained, however, for the Genevans established in France most of the rights of native subjects, and especially as to inheritance. About this time a preacher of Geneva ventured to reflect in coarse terms indeed on the Marchioness of Monceaux, the mistress of the king. The council, in great fright, put the imprudent moralist under arrest immediately, and obliged him to make an apology, and acknowledge himself in the wrong, for censuring in the mistress of a king of France what was deemed at Geneva a capital crime, and punished with death. The French ambassador could scarcely be pacified by the submission of the culprit, but his master took the affair in perfect good humour.

thousand now. The Dutch contributed likewise, but on condition that two very learned men, Jaques Lect, and Isaac Casaubon, whose professorships had been suppressed on account of the difficulties of the times, should be restored to the college; a proof of the importance attached to the establishment by foreigners.

The Duke of Savoy could not bring himself to renounce Geneva, and attempted to get possession of it by surprise. The inhabitants had been lulled into security by an unusual show of pacific intentions, and on the eve of the execution the magistrates disregarded some information given to them respecting this plot. Lieut.-General d'Albigni, who commanded the duke's forces, reached by a night-march, the 11th of Dec. (20th, new style,) 1602, the esplanade of *Plein Palais*, before the walls of the town.

Three hundred picked men, well armed and provided with implements to break the chains of the draw-bridge, and with petards to blow up the gates, descended silently into the fosse, called the *Corraterie*, on the south side of the town, throwing hurdles over the mud as they advanced, to prevent sinking; and the alarm of a flock of geese nearly discovered them, as formerly at Rome on a similar

occasion. Ladders planted against the wall, and painted black, that they might not be seen, enabled them to get over the ramparts. Father Alexander, a Scotch Jesuit, gave absolution to the assailants as they got up the ladders. It was one o'clock in the morning when they reached the parapet, and laid themselves down under the trees, waiting for the appointed hour of attack, while a few went two and two about the streets to reconnoitre. About half after two, a sentinel hearing some noise, called his corporal, who sent a soldier with a lantern: the latter fell among the enemy and was killed; but the alarm once given, determined the attack, which took place in four different directions, while a party was sent to blow up the gate (Porte Neuve), that the troops outside might come in.

By some of those chances which decide the fate of the best concerted enterprises, a cannon-ball, fired at random along the wall, swept off the three ladders (a piece of one of them is preserved in the arsenal of Geneva), and those who went to blow up the gate found the portcullis had just been let down, which prevented their approaching it; the assailants were therefore completely shut in. They advanced, calling out, *Vive, Espagne!—vive, Savoye!*

ville gagnée! tue! tue! At the first shot, the army outside, thinking it was the gate blowing up, rushed on the glacis towards the drawbridge, *measuring already, in fancy, the cloth and velvet of the Genevan shopkeepers* with their pikes; but a few canister shot taught them their mistake, and reduced them to the situation of passive spectators. Every window of the town was by this time illuminated, and every citizen, armed as he might, rushed into the street. The records have immortalized a tailor, who performed wonders on that night; and a woman, who broke a soldier's head with an iron pot. The Savoyards, greatly reduced in number, and retreating towards their ladders, which had disappeared, tumbled down into the fosse, and Father Alexander was grievously wounded by one of them falling upon him.

The dawn of day discovered fifty-four dead about the streets, and thirteen prisoners, men of quality, who were all hung the same day, as housebreakers, notwithstanding their offering great ransoms to save their lives; the sixty-seven heads were stuck up along the ramparts: many more perished in the fosse and out of the town. On the side of the Genevans there were seventeen killed, and thirty wounded; the former were buried at St. Gervais,

with an epitaph still existing, where all their names are inscribed *. The celebrated Theodore de Beze, then at a very advanced age, heard only in the morning of the events of the night; he then gave from the pulpit the 124th psalm, sung ever since on the anniversary of the day of the *Escalade* †.

One of the syndics, prosecuted on account of this event, was tried four times for the same fact; this affair exhibits a curious instance of the ignorance of every principle of criminal law. The first trial, in 1603, cleared the prisoner altogether

* The first name on the inscription is that of *Jean Canal*, a venerable magistrate, who was killed early in the combat. His son, Pierre Canal, convicted eight years after (with the help of the torture of course) of criminal correspondence with Savoy, was broke upon the wheel, and then burnt alive; the memory of his father could not mitigate the vindicative retribution inflicted by his fellow citizens.

† The *Escalade* did not give less occupation to the literati of the time than to the executioner. A *cavalier of Savoy* took up the pen first, in defence of his duke, whom he called *the Scipio of all the Hannibals of Europe—the great Alcide—the main-branch of laurel, where victory plucked wreaths for heroes and great kings*, &c. The learned of Geneva, and *Jacques Lect* among others, united their talents to produce an answer of 400 pages, beginning thus: *Cavalier Savoisien, nouvellement eclos de la chaleur et pourriture d'une rave germée dans quelque puante fosse, rien moins que cavalier, ainsi plutôt Carnavalier, furieux hateleur confit en injures*, &c.

—by the second he was found guilty of neglect, and fined—by the third, in 1605, he was sentenced to ten years imprisonment, and to a heavier fine for more material neglect of duty discovered—at the fourth trial, in 1606, the unfortunate man owned, under the pressure of the rack, having offered his service to the Duke of Savoy, and having been *accessary* to the *death* of a witness against him: he was broke upon the wheel. His brother, implicated in the same charges, underwent the same judicial process; but all the torments inflicted upon him could not extort a *confession;* he was for that sole reason acquitted, and even restored afterward to public employment; and all this in one of the most enlightened parts of Europe, in the seventeenth century.

A hollow peace followed this unwarrantable attack on Geneva, but did not prevent secret attempts on the part of the duke to get possession of the place by treachery; scarcely a year elapsed without some plot being discovered, and traitors taken up and executed. After the death of Henry IV. of France, who kept the duke in awe, the latter became bolder; but the interference of the cantons checked his further enterprises.

The plague, not less than the Duke of Savoy, was a never ceasing subject of 1615

alarm; it appeared at Geneva four different times in the sixteenth century (in the years 1530, 1541, 1543, and from 1567 to 1572), and broke out with unusual violence in 1615, carrying off in the space of ten months (from July to May) four thousand persons at Geneva; little less than one-third of the population, which an entry in the registers of the council for 1589 stated at thirteen thousand. The sufferers were mostly among the lower class, which shows that want of sufficient nourishment, excessive labour, and uncleanliness, were among the causes of the disease; only two counsellors of state and two ministers died of it.

A very extraordinary accusation was renewed almost at every return of the plague, against persons wilfully propagating the infection; many expiated the alleged crime by punishments the most cruel that a barbarous legislation could devise; the prisoners were generally convicted on their own confession, extracted indeed by the torture. The nurses, it seems, and other persons employed about the sick, carried the clothes and effects of those who had died to houses not infected yet; rejoicing among themselves at the progress of the disorder. They made use of a sort of technical language, invented on the occasion; the name for the plague was *clauda:* they inquired of each other whether

it was *awake* or was *asleep;* whether it was *in appetite,* and was *feasting* in such or such houses. Seven men, and twenty-four women, were burnt alive for this alleged crime: a surgeon and two other persons were *tenaillés et ecortélès**. The registers of the council state, under date 16th May, 1545, that the husbands of the unhappy women put to death were banished the town for three years, under the penalty of the whip for returning!

The ministers who attended the hospitals having all died of the plague, the others, as appears by an entry in the register of the council, of the 5th June, 1543, excused themselves from going, and acknowledged they had not the courage to encounter certain death, excepting one of their body (Math. Geneston), who offered to go. By another entry on the register, under date 3d August, we learn that this courageous person was then attacked with the plague, of which his wife had already died; whether he himself survived does not appear. A contribution or fine of 3872 florins was

* Torn with pincers, and drawn into quarters by means of horses, while alive! We may congratulate the English on their language having no name for these atrocious executions.

levied on 254 heads of families, who had left the town during the contagion—a fine on those who staid would have been much wiser*.

That nothing should be wanting to the calamities and the folly of the times, a witch was burnt alive, and her goods confiscated: the circumstance is stated without remarks, and as a thing of course, in the register of the council, the 29th of September, 1615. It is lamentable to observe that these absurd and cruel proceedings date from the reformation. Scarcely any such occurred before the sixteenth century; but they became frightfully common from the beginning of the seventeenth; and there were one hundred and fifty individuals executed at Geneva, in a period of sixty years, for the capital offence denominated *lese majesté divine au plus haut chef* (witchcraft), and their goods confiscated. The last execution took place in 1652; but it was not before the eighteenth century that the magistrates refused to listen to accusations of witchcraft.

The tendency to encroachment on the part of the aristocracy, so often denounced by the popular

* *Go soon enough, go far enough, and stay long enough,* was the well known maxim of Dr. Franklin in cases of contagion.

party, in the course of the last century, was noticed as early as the year 1616, in a formal remonstrance addressed to the council by the venerable class of ministers of the Gospel, a body rarely suspected of a democratic bias. This venerable class complained that young men, as little qualified by their education or natural talents as by their years, many of whom led irregular and dissolute lives, were elected to the great council of the republic from family interest, while honourable citizens were overlooked, &c.; and that public employments were thus become the property of certain families, to the exclusion of others, and without regard to merit, &c. The council, in answer, alluded to the tone of bitterness and exaggeration of the remonstrance, observing, in general terms, that the result of an election, as of law-suits, was apt to create dissatisfaction in those who lost either the one or the other; thus passing over silently the charge of family interest, and hinting that the Venerable Consistory were meddling with things not of their competence. Some years after this, one of the ministers having said in a sermon that *magistrates had become paralytic*, and that it would become necessary to apply severe remedies to the diseased members, received no-

tice, that if he indulged again in similar liberties, *he would find that the council was not paralytic*!*

* The Register of the Council of Geneva, so often quoted, was a sort of official common-place book, where all sorts of political, moral, and religious gossiping were recorded: we have thrown into a note such further extracts as could not find their place in the text, yet appeared curious in themselves, as illustrating the state of manners, and the discipline of the reformed church in the seventeenth and eighteenth centuries.

1591. Jan. 13. "La Reine Elizabeth a dit à noble Jaques Lect," (a learned professor and envoy of Geneva in England) "*que si l'ennemi n'etoit point entré en Angleterre, elle l'attribuoit non à sa sagesse, qui est nulle;*" for she added, "*nous autres femmes n'avons que demi cervelles; mais à la volonté de Dieu.*

1625. Oct. 8. "Remontrances du venerable consistoire sur le luxe et la profanité, portant que la modestie est entierement corrompue, que les riches sont ce qui leur plait et sont excessifs en meubles et en banquets, à quoi les petits se veulent prendre, &c. et que les femmes sont aujourd'hui tellement luxuendes et pleines de vanité, que c'est une chose étrange, qu'elles portent des chaines et bracelets d'or tout ouvertement. Que les accouchées de même excedent en leurs habits de couche, &c. que le Sabat est violé en tems que plusieurs sortent de la ville pour se promener, &c.

1637. June 17. "Femme adultere condamnée au fouet et bannie sous peine de la vie.

1646. Dec. 25. "Adultere condamné par contumace pour recidive à faire reparation en conseil jenoux en terre, et à trois mille écus d'amende.

Geneva continued to be the asylum of persons persecuted in other countries on account of re-

"Renouvellement de la défense de se servir de carrosse, si non pour aller à la campagne. 1649. Nov. 28.

"Representations du Consistoire portant que la danse est le fauxbourg de la paillardise, et que cependant on en fait une galanterie et l'apprentissage d'un beau maintien, dans les meilleures maisons de la ville, ce qui est accoutumer les jeunes gens a offenser Dieu; qu'en un mot on ne devroit penser à la danse qu'avec horreur puisqu'elle avoit causé la mort de St. Jean Baptiste, &c. 1651. Sept. 26.

"Defense faite au maître de danse, d'apprendre a danser à personne de la ville. Oct. 21.

"On defend au Sr. Raby d'enseigner les mathematiques aux Savoyards!! Oct. 25.

"Permis au Sieur Yvoir de construire une glaciere avec un privilege de dix ans. Il n'y avoit eu aucune glaciere jusqu'alors. 1668. Dec. 30.

"Le Venerable Consistoire represente que les danses qui deviennent si frequentes parmi nous sont contre l'honneur de l'état; on defend toute espéce de violon, même en cas de mariage, à peine de dix écus d'amende. 1669. Fev. 6.

"On defend aux hommes les perruques, et aux femmes les paresseuses, qui excedent le prix de deux louis. Toutes les femmes qui ont habité ici an et jour ne peuvent être qualifiées de *Madame*. 1676.

"Noble Jaques Pictet propose que l'état entretienne un carosse à Mr. le resident de France pour qu'il puisse aller à la messe hors de la ville. Noble J. A. Lullin et Noble J. L. Calandrini offrent, l'un vingt, et l'autre quinze pistoles, pour une souscription à cet effet. 1679. Nov. 8.

ligion, some of whom were illustrious by their rank or by their talents.

1679. Nov. 9. "Le senat de Chambery est très mécontent de l'histoire de Spon, qui n'est qu'une pasquinade contre la Savoye tout à fait deplacée dans un moment, où l'on est en bonne harmonie. Sur quoi il a été arrêté de faire connoître que nous n'y avons aucune part.

1681. Août, 5. "Defense à toutes personnes domiciliees dans cette ville de porter aucune espece de dentelles ou la necessité de retrancher toute vanité et luxe dans un moment ou des edits rigoreux portent la desolation et de froissane dans les eglises reformées de France.

Oct. 24. "On censure V. Minutoli, pour avoir dit dans un sermon, qu'il y a autant de paillards et d'adulteres que de cheminées.

1684. Jan. 29. "Les personnes de la première condition ne pouront inviter plus de trente personnes au festin de leur nôces; celles de la seconde condition, pas plus de vingt; et celle de la troisieme, pas plus de quinze.

Fev. 12. "On trouve au fond du lac des pieux noires comme ebene, qui faisoient partie de pont de Cæsar, qui alloit depuis la tour de l'isle jusqu'a Cologne.

1685. Fev. 5. "Arreté de se deshabituer insensiblement de precher la controverse tous les Jeudis.

1689. Avril 5. "Remerciemens à Mons. Stoppa sur les bons offices qu'il ne cesse de nous rendre aupres du roi (Louis XIV.) qu'on a si fortement irrité contre nous.

1702. "Le conseil arrêté qu'a l'avenir le repas qui se fait le soir de l'election des conseillers ne sera composé que de quarante personnes à un ecu par tête, outre la truite.

A Lutheran prince, the Margrave of Bade Dourlach, had brought with him a minister of his communion, who was allowed to preach in his house; but, as other Lutherans attended the service, the indulgence was withdrawn. The insolent plea offered by the Prince, which alone makes the anecdote worth recording, was, that being a prince of the empire, and the town being imperial, he had the same rights in it as themselves. He was obliged to leave Geneva; but it does not appear that the assertion of its being an imperial town was disputed. The Germanic empire had preserved in public opinion something of the universality and vague omnipotence of the Roman empire.

The historian D'Aubigné was one of these

" Arrêté ou la remontrance du V. C. d'empecher les femmes de sortir en robe rabatue et detroussée sans ceinture en pantoufles, ce qui est très indecent et licentieux. 1715. Jan. 15.

" Defense très expresses sont faits à toutes personnes de donner aucun bal sauf un seul à l'occasion des mariages, dans lequel il ne sera permis de donner aucun ambigu, soit viandes, froides ou chaudes, ni comfitures seches, ni dragées, defendant de même à toutes personnes sujettes à nos ordonnances d'aller au bal en voiture, de porter sur leurs habits aucune dorure, pierreries, &c. le tout à peine de cinquante écus d'amende." 1744. Mars 2.

refugees, and died at Geneva twelve years after taking up his residence there, at the age of eighty, highly esteemed and universally regretted.

The magistrates of Geneva received a letter from Cromwell (Westminster, 7th June, 1655), stating that the cruel persecutions to which the Protestants of the valleys of Piedmont, known by the name of Vaudois, were exposed, on the part of the Duke of Savoy, had moved the republic of England to compassion, and that a collection of money was making to assist them and testify the feelings of the nation in favour of their afflicted brethren; but, as their situation admitted of no delay, he judged it best to send provisionally two thousand pounds, and to request the magistrates of Geneva to take upon themselves the distribution of the money among those most in need, &c. He sent afterwards my Lord Moreland to the Duke of Savoy, to intercede for the people of the valleys; and during the negotiation, which lasted sixteen months, the ambassador resided at Geneva.

The sincerity, however, of either party, in these humane sentiments, and in this liberal protection of the oppressed for conscience-sake, was far from being above suspicion. In their own town the Genevese tolerated no belief but their own, and

had actually, within a few years, condemned to the stake a poor infatuated and evidently insane fanatic for having turned Jew. Of Cromwell, and of his compassion, or indulgence in matters of religion; the world may judge.

The hereditary enmity of the Duke of Savoy against Geneva was not at an end, and the Genevese themselves, conscious of growing strength, may possibly this time have provoked their old enemy; but we find him encamped in sight of their walls with six thousand men, which occasioned corresponding preparations on their part. The whole population worked at the fortifications, the poorest supported by the richest —some individuals having two hundred men in their pay: they were also exercising daily, and had become quite impatient to be attacked. Zurich and Berne sent some troops; and several large galleys were constructed, one bearing fourteen guns, and the others manned with two hundred men each. These measures disconcerted the plans of the Duke, who confined himself to secret machinations, generally fatal to his agents; and the peace which followed became at last permanent, and has never been interrupted since.

CHAPTER XXXII.

French Envoy—His Insolence—Entertainments given to his Successor—Difference of Manners between the Roman and German Race—Public Spirit arose out of religious Enthusiasm—Factions—Death of Fatio—Revolution of 1738.

In 1679, the court of France sent, for the first time, a resident to Geneva. The magistrates, though little desirous of such an honour, received with every outward mark of respect and of delight the minister of a king, who had not, indeed, yet been guilty of the *dragonnades* (they began in 1684), but who had already shown himself the most imperious and intolerant of European monarchs.

This resident, a M. de Chauvigny, had a chapel, to which the neighbouring catholics of the French frontiers, and even of Savoy, resorted in great numbers, and with studied solemnity, to hear mass. Some Genevans were insulted in the neighbourhood of the town for not showing proper respect to the *viaticum*. The people felt great uneasiness, and there was some tumult, during which a musket was fired against the hotel of France. This was considered in the most serious

light by the resident, who treated the magistrate of a free people with intolerable haughtiness; and the individuals guilty of the insult were obliged to ask pardon on their knees. The proud minister, speaking of the infinite clemency of his master, applied to him these lines—*Justitia sedet misericordia vero.* In their simplicity and fear of the mass, the magistrates debated in council whether they should not find a coach for Monsieur the resident, that he might conveniently attend mass out of town. J. A. Lullin and J. L. Calendrini, two of the counsellors, offered to subscribe, one twenty the other fifteen pistoles, for the purpose. It is not recorded whether the resolution was carried. "The Lord," says the register of the council, "has chastised us, by permitting that the resident of his most Christian majesty should introduce the exercise of the Roman Catholic religion amongst us. Michael Trembly, syndic, being sent to Paris on the occasion, was told—*'We need not mind trifles, and be so ready to send deputations!'*" He obtained, however, the recal of the first resident. His successor (M. du Pré), a moderate man, was received with the honours due to a sovereign; and Spon dwells with complacency on the *fêtes* of which he was a witness;—a sham naval engagement between

Turks and Christians; grand fishing of trout and pike; shooting of wild ducks on the lake, and a sumptuous collation at the castle of Mozet, the finest house in the country; of which Spon describes the magnificent *parterre*, with cut trees, *jets d'eau*, and straight walks. He quotes also the elegant sonnets recited on the occasion, celebrating the *ministre glorieux du plus grand roi du monde*, and the *finest lake in the universe*, and the *cœurs des Genevois*, so excessively fond of this same *grand roi*.

1680.

We are now approaching the third period of the history of Geneva—that of her literary eminence, of her industry and wealth, and of her civil dissensions. Long exposed to the compound tyranny of three masters, we have seen its citizens suffer every evil of which the social state is susceptible, commanding our pity, but not our esteem; very different, undoubtedly, from their neighbours, the Swiss, who, under circumstances in no respect more favourable, displayed an energy and devotedness, a calm persevering courage, which proclaimed them worthy of the ultimate triumph they obtained.

It should seem as if the Roman origin, marked among modern Europeans by their language, had entailed on the descendants or the subjects of the

masters of the world, the manners, the feelings, and forms of slavery, to which their ancestors had been fashioned by centuries of despotism and military glory: while the barbarians of the north brought with them a certain vivifying principle of independence and rectitude, a youthful freshness, originality of vigour of character, more favourable to the establishment of civil liberty. Strangers to the arts and the polished forms of Roman civilization, which had survived every great and generous impulse, and to which none of the chivalrous virtues of the middle ages belonged, they discovered an untrodden literary path, ruder, no doubt, but nearer nature, than the old classical one; rich in the wilder beauties, more picturesque and inspiring.

The feudal times might be those of oppression and violence, but not of degradation and slavery. A great deal of injustice was committed, but much was prevented or redressed, which would have existed otherwise; and those knights, always armed in their own defence and that of their dependents, rekindled in modern Europe that high and generous spirit, long since extinguished under the system of government which weighed down the subjects of Rome for several centuries before its fall. We owe to feudal anarchy itself

the first elements of the representative government; with which, and with the warlike spirit brought by the Franco-Germans, it is impossible that the human race should ever fall so low in Europe as we see it, for instance, in Asia. Those strong holds, the ruins of which, at this day, decorate modern landscape, might often be, in ancient times, the dens of freebooters; but they were likewise the nurseries of valour and independence. The generation which erected them, and that which pulled them down in after times, both in their own defence, gave equal proofs of those manly virtues, which the even and undisturbed tenour of despotism never fails to destroy. We have already observed that the senate of Berne, mostly composed at first of warlike barons, owes to that circumstance much of its characteristic magnanimity—to this feudal alloy we are convinced the government of Great Britain, as well as British manners, owe much of what is best, greatest, and most durable in them.

At Geneva the blood of the Bertheliers and the Levreries had been shed in vain; and the people had need of the strong hand of the reformation to elevate them to public liberty by private virtues. Carried away by the genius and enthusiasm of Farel and Calvin, they became

fanatic, instead of corrupt and grossly sensual, as they were before (a necessary step in the meliorating progress), public spirit rose out of religious enthusiasm, and secured the independence of the republic. A paternal government succeeded, under the simple guarantee of the rectitude and disinterestedness of magistrates, elected partly by the people. The fanatical zeal of the early period of the reformation, although cooled by degrees in the course of one hundred and fifty years, was not wholly extinguished, and the Duke of Savoy was still an object of jealousy. These feelings formed a bond of union, and a community of interest, between the people and their rulers; and scarcely allowed the former to perceive, what they certainly did not feel, that a sort of hereditary aristocracy had, in fact, taken possession of the public councils of the republic.

J. A. Turretini, a theologian of very superior talents * and liberal mind, operated a reformation of the reformation at Geneva, in the beginning of the last century. His countrymen, prepared by the progress of knowledge, abandoned silently, and without scruple, certain articles of faith im-

* J. A. Turretini, Senebier says, astonished the doctors of the Sorbonne at Paris by the talents he displayed in a public dispute, conducted in very pure and elegant Latin.

posed by Calvin, who rejected the authority of Rome only to establish another sort of infallibility. But as the restless activity of the human mind wants food, especially when highly cultivated, controversy had no sooner lost its relish at Geneva, than political questions began to be canvassed, and became interminable under a constitution inartificially balanced.

Considerable murmurs had arisen in the course of the seventeenth and beginning of the eighteenth century, respecting the extensive works undertaken in 1660, for the defence of the town, and continued during seventy years by the magistrates, without any other authority than an edict of the *conseil general* in 1570, which had granted the power indefinitely. These murmurs were not confined to the expense incurred by the fortifications, but extended to the motives for which they had been undertaken—a pretence for a permanent force as a garrison. The magistrates repressed with severity some popular expressions of discontent, and the punishment inflicted upon those who had disturbed the public peace, while the grievances, which had led to the commission of the crime, remained unredressed, and while the authors of those very grievances sat as judges upon the criminals, appeared an act of tyranny. The radical defect of the Genevese go-

vernment in the Swiss cantons always was, that the sword of justice hung by the side of their legislators, and was necessarily drawn at times in their own defence, thus placing them in an indelicate situation, alike unsafe for those on the bench and those at the bar.

The progress of industry, as it spread wealth and knowledge, pride and ambition, among the lower classes, increased the jealousy of those who found themselves excluded from any share in the government, administered by men born nearly their equals. We shall quote, as a sample of the manner of considering the subject, the speech of one of their leading demagogues (Delachenat) to the citizens assembled in *conseil general:*

1707.

" Souverains seigneurs! ce n'est pas aux syndics à vous donner la loi; mais ce sont vos seigneuries qui doivent la leur donner puisqu'ils ne sont que vos commis!"

The popular party at last compelled the magistrates to yield several points; the preponderance of some families in the councils was limited; the compilation of a code, or collection of the existing laws, was promised, and, above all, the revival of an old custom of assembling the burghers once in five years was expressly stipulated. These concessions had been extorted by fear, and the magi-

strates, alarmed at the violence of the people, applied for protection to their allies of Berne and Zurich, who sent troops: the chiefs of the malcontents were arrested; about eighty of them punished in various ways, and a distinguished citizen put to death secretly, in violation of an amnesty, published before the arrival of the Swiss troops, and without the usual forms of law, under pretence of some subsequent offence, not sufficient to set aside a solemn promise*.

Pierre Fatio, of an illustrious family, was, although young, already a magistrate; his ardent mind, rather than his ambition, made him a tribune of the people. Like the first of the Gracchi, he perished a victim of the enmity of the senate, but his brother, unlike that of the Roman, approved his condemnation, and only requested that he might not suffer by the hand of the executioner. Fatio's zeal was as fatal to the cause of liberty as

* The registers of the council contain what follows, under date 6th of September, 1707. Resolu unanimement de faire executer Pierre Fatio dans les prisons, pour raisons d'état.—Il a de plus été arrêté de l'arquebuser (shoot him), en consideration de la famille, et particulièrement de Mr. le Conseiller Fatio, son frere. 21 Sept. arrêté en egard, à Mr. le Conseiller Fatio, et pour temoigner à ses neveux (the sons of the man they had shot) la bienveillance du conseil de leur abandonner la confiscation des biens de leur père, &c. &c.

to himself: he lost all by aiming at too much, and his death may be considered as one of the principal causes of the dissensions of Geneva during the last century, although it was said to have secured its internal peace for twenty-seven years (from 1707 to 1734.) He was imprudent, and possibly guilty, but his judges were both, in a far greater degree.

The people, intimidated, revoked, in 1712, the decree respecting periodical assemblies, and tranquillity was restored, apparently; but latent discontents lurked in men's bosoms.

The magistrates and their party were accused of pride and ambition, and the popular leaders of sedition and insolence; reciprocal hatred lent a criminal meaning to expressions merely imprudent; party writings, some of them published by smart boys, just out of college, blew the flame incessantly. A free press circulates, no doubt, the poison and its antidote; but somehow the latter is generally taken by the uninfected, and rejected by those who most need it; operating prospectively, it cures our posterity effectually, whilst we die of the disease.

A trifling occurrence brought about the crisis, which had been preparing for some time. It was found that the cannon on the 1734.

bastions of the lower part of the town had been rendered unserviceable, by means of wooden plugs, and that there had been a secret accumulation of arms and ammunition in the upper part. These precautions of defence were considered as announcing some premeditated aggression against the liberty of the people, who openly threatened their magistrates; the latter thought of appeasing the storm by an acknowledgment of the exclusive right of the people to grant money, and applied for a continuation of the taxes for finishing the fortifications. They were granted for ten years by the *conseil general*, but tranquillity could not be restored without the summary deposition and banishment of six obnoxious magistrates. This illegal *plebiscite* was followed by a hollow peace, such as that which succeeded the *coup d'etat* of 1707, but the two parties came to open violence three years after, in consequence of the trial of some seditious individuals; a syndic was wounded, and some persons killed; the popular party had the advantage, and a great number of patrician families left the town* in disgust.

A new appeal was made to the meditating

* The families out of whom the elections of counsellors of state were in fact always made, disclaimed the appellations of patricians, yet we do not know what other could be given.

powers, Zurich and Berne, and the King of France sent plenipotentiaries; Count de Lautrec, on the part of France, soon obtained the confidence of all parties, by the justice and liberality of his conduct, and the *reglement*, proposed by the mediators (a constitution it would now be called), accepted almost unanimously the 8th of May, 1738, settled for ever, as was supposed, the limits of the contending powers, the pretensions of the councils, and those of the general assembly; reconciling, Rousseau himself observed, incompatible extremes.

1. The *conseil general*, consisting of about 1600 citizens, was to accept or refuse, without deliberation, all laws and grants of money proposed to them by the council called the *deux cents*, and to elect, annually, the four syndics, and the nine members of the inferior tribunal called *l'audience* (six judges, one president, called *lieutenant*, and two *chatelains*, or country judges).

2. The council called the *deux cents*, heretofore composed of 225 members, was increased to 250, that a greater number of persons might have a share in the government. The members were elected by the *petit conseil*, whenever reduced by deaths, to about two hundred members, which happened nearly every seven years. The *deux cents* deliberated only on the questions proposed by the *petit conseil*, and assembled once a month;

they had the right of pardon, were supreme judges in certain civil causes, and proposed to the *conseil general* the candidates for syndics and judges of the audience.

3. The council of the *soixante* deliberated secretly on political affairs.

4. The *petit conseil*, elected by the *deux cents*, were the executive government, the court of appeal in civil causes, and high criminal court. The four syndics, elected by the people, presided in this executive council.

Thus the government consisted of councils, which were also courts of justice, electing their own members reciprocally; but the people had the check of their *veto* on all laws, and elected the four syndics, and the members of the inferior tribunal out of a list presented by the councils. They might *reject the whole, or any part of the names on this list*, and this proved the occasion of the next revolution. The proceedings of the courts of justice continued to be secret, and it is worthy of remark, that the use of the torture was expressly maintained, although applied to condemned criminals alone*! The compilation of a

* The torture ceased, in fact, at Geneva from this time, but continued in France fifty years longer, till formally abolished under Louis XVI.

code or publication of the existing laws was promised*.

The practice, introduced during the late troubles, of the citizens assembling by companies, and these naming deputies to confer with the magistrates, was abolished. Yet it seemed a valuable approximation to an elective representation of the people, which alone could have neutralized their seditious disposition, and given vent to their turbulence, through an appropriate and legitimate channel. The inestimable property of *popular elections* of representatives, somewhat like that of the inclined plane in mechanics, along which bodies descend, but are not precipitated, is to attain by degrees, and without a shock, that point which *popular insurrections* hit at once too violently, and often miss altogether. Situated as the Genevans were, it might not be their fault altogether if they found it difficult to reconcile civil liberty and internal peace. When the whole body politic is cooped up between four walls, where the population is crowded together, the in-

* The celebrated reformer of the state, as well as the church, Calvin, had defined the punishment applicable to crimes in two cases only, *suicide* and *adultery*. All other crimes were threatened with the *peines les plus severes*, which left judges, (the executive government) at liberty to apply any punishment they pleased, to any crimes.

terval between civil liberty and anarchy is very narrow. If Great Britain was Glasgow or Manchester all over, her freedom could scarcely be maintained. In a great state, the prejudices incident to a particular class of men are neutralized by those of another class. The turbulence of artificers and tradesmen in towns is corrected by the apathy of peasants; while the knowledge and enterprise generated amidst a dense population, gradually rectify the indifference and narrow views of those who have fewer opportunities for an interchange of ideas.

CHAPTER XXXIII.

Rousseau—Emile and the Contrat Social—Dissensions at Geneva concerning his Prosecution—Foreign Mediation—Arrogance of the French Plenipotentiary—The Magistrates gradually yield.

THE Genevans lived in tolerable comfort during four and twenty years, on the stock of political union provided for them by the mediators in 1738; and a salutary sense of shame prevented their renewing very soon those domestic quarrels which had been a scandal to all Europe, at a time when nothing of the sort took place any where*.

* There was, in 1754, an amicable settlement of old standing differences between the king of Sardinia and Geneva, respecting boundaries. Certain districts and villages were ceded on both sides, for the convenience of the two powers, and in order to round their territories. It is not usual, on these occasions, to consult the individuals concerned in these exchanges of territory—an injustice perhaps unavoidable; but a clause of this treaty deserves notice. *Liberty of conscience* was allowed during twenty-five years to the *ci-devant* subjects of the king of Sardinia, or *ci-devant* citizens of the republic of Geneva, thus transferred. It was legal for them to retain their belief during that period, and illegal after. Their *conscience* was to change with their allegiance, yet was allowed by special favour a respite of five and twenty years.

The disputes which occasioned the revolution of 1768 at Geneva, connected as they are with other disputes and other revolutions of far greater importance elsewhere, deserve some attention; for the phenomenon of life is not less admirable in a fly than in an elephant. *Emile* and the *Contrat Social* appeared at Paris in 1762—1763. The parliament of Paris condemned the first of these* books to be burnt, and ordered the *Sieur Rousseau*, whose name appeared in the title-page, to be taken wherever found, and brought forthwith to the *conciergerie du palais*, (the court of the parliament), to be interrogated and heard on the subject of the work; and, in case he could not be found, to be cited to appear. As soon as this measure of the parliament of Paris was known at Geneva, the *magnifique conseil*, following so high a precedent, ordered the *Emile* to be burnt, as *temeraire, impie, et tendant à detruire la religion Chretienne, et tous les gouvernemens;* and ordered the supposed author, the *Sieur Jean Jaques Rousseau*, to be taken if on their territory. A considerable number of citizens petitioned against this proceeding. The *magnifique conseil*, they said, may

* It was found that the *Contrat Social* was not so much read as the other book, and they were afraid of increasing its celebrity by the burning.

burn the book, but they cannot legally issue a warrant of arrest (decret de prise de corps) against the supposed author; for, having neither printed nor published in Geneva, he has not committed any criminal act there, and cannot be prosecuted for it in two different places. As to the alleged impiety, our constitution, they continued, has provided that he who *dogmatises against received doctrines* shall be summoned to appear, in order to *confer* with the *ancients and ministers* of the consistory. If he conforms (*se range*), the law says, "let him be tolerated (*supporté*) without scandal or disgrace, or admonished from time to time if he does not; and in case he persists, and is obdurate, let the communion be interdicted to him. The civil authority is then to deal with him as the case may require." Nothing of all this has been done. The friends of the magistrates replied, that the old law against *dogmatisers* could only apply to those who taught from the pulpit, or in a school, and not to publishers of books. But this interpretation was confuted by a line of Boileau,

"Dogmatiser en vers, et rimer par chapitre."

The magistrates, at any rate, denied there could be any doubt on the meaning of the law; and maintained it did not belong to individuals to

suggest any, or dispute their interpretation. This arrogant *negative* could not fail to exasperate the *representans*, (the popular or remonstrating party was so called, and their adversaries were denominated *negatifs*). The legislative right of the people, they observed, the right of sanctioning or rejecting the laws, avails them little, if magistrates are allowed to alter or explain away these laws arbitrarily, disregarding all representations to the contrary, and in direct opposition to the intention of the legislator. The law in their hands is in fact any thing they please. Rousseau, from his retreat of *Motier Travers*, answered the *Lettres de la Campagne* by the *Lettres de la Montagne*, and the furious storm they excited might have satisfied his resentment; yet as he saw the personal quarrel was fast becoming a general question, and *Jean Jaques* was likely to be forgotten, he turned against *representans* as well as *negatifs*, guilty alike of not attending exclusively to him.

The magistrates had employed the soldiers of the garrison for the police of the fishery on the lake, and their interference was resented as an encroachment; but a much more serious misapplication of the military force had taken place. Detachments of the garrison, employed in arresting obnoxious persons, had broken open the doors of houses in

the dead of night, and having, in one of these cases, mistaken one house for another and entered it forcibly. All the amends made to the injured individual was a declaration that he was *not suspected*, and a few days imprisonment of the serjeant who commanded the guard*. The remonstrances made on the occasion drew the following remarks from the magistrates: "A private incident cannot be the subject of public representations." And again, "When the council disapproves of representations made to them, they fall of course—a fundamental principle which your magistrates have sworn to maintain, and which they will maintain as long as they retain the situation confided to them."

In a case of conflicting powers like this, the Genevans, by the constitution of their government, were reduced to the alternative of submitting the dispute to the *conseil-general*, a tumultuous assembly of 1600 persons, or to the council of state, that is, to the parties themselves, to the plaintiff, or to the defendant. Hence the frequent appeals to foreign mediators. They seemed not

* An edict of 1735 declared that the garrison had been established for the purpose of external defence exclusively, forbidding any interference of the said garrison, contrary to the rights and liberties of the citizens or burghers.

to have been aware of the advantage of that happy division of powers, of which England furnished them an example; and the republics of Switzerland had no better notions on the subject. Rousseau said with great truth, that the Genevans had always attended to the letter, and neglected the spirit, in the establishment of a civil constitution. They thought more of their *conseil-general*, he observed, than of the individuals composing that assembly: while contending for *civil authority*, they overlooked personal liberty *.

The popular party (the *representans*) resorted at last to the only means of constitutional opposition in their power, that of systematically rejecting every candidate proposed to the *conseil-general*: there was no election for two years, and the same syndics continued in place. Changing parts with their adversaries, the *representans* thus became *negatifs* in their turn. Yet as the *reglement* of 1738, guaranteed by the arbitrating powers, expressly said there should be an election every year, this state of things afforded a pretence for their interference, and the magistrates

1765.

* Les Genevois se sont toujours laissé séduire à l'apparence, et ont négligé l'essentiel: ils se sont trop occupés du conseil-général, et pas assez de ses membres: il falloit moins songer à l'autorité et plus à la liberté. *Lettres de la Montagne.*

took advantage of it. Those powers sent accordingly their plenipotentiaries; but the one from France, the Chevalier de Beauteville, very different from the Count de Lautrec, his predecessor twenty-five years before, took every opportunity of exasperating the popular party by his haughtiness and undisguised partiality. He began by a declaration, approving the conduct of the magistrates; upon which the commissioners of the citizens, in a respectful memorial, observed, that this was prejudging the case, and they exposed anew their grievances against their magistrates. 1766.

The French plenipotentiary answered angrily, "I should not have supposed there were among the *representans* persons capable of forgetting themselves to that degree (s'oublier jusqu'à ce point)," &c.—"I am willing to believe the generality were not aware of the *indecency* and the *temerity* of their conduct," &c.—"I may in due time, after consulting my court, demand the punishment of the authors," &c.

The citizens and burghers having rejected, in conseil-general, the terms proposed by their magistrates under the sanction of the plenipotentiaries, 1095 against 515, the Chevalier de Beauteville left the town, after publish- 1766. 15 Dec.

ing a furious declaration, in which the epithets of *indecent, insolent, daring,* and *seditious,* applied to the majority of the conseil-general, were repeated at every line, and he ended by pronouncing an interdiction of all intercourse between France and Geneva *.

Our republicans presented a few months after, a *humble petition* to the French resident Hennin, entreating " the forgiveness of a generous minister," (M. le Duc de Choiseul,) appealing to " his great soul," and to the " magnanimous monarch ;" concluding with this phrase, " en vain nous reposerions nous sur le temoignage de nos consciences, il faut bien que nous ayons des torts," &c. But the generous minister expressed, in his answer, much wonder that the petitioners should venture to refer to the testimony of their consciences, which he called roundly *à faux te-*

* Le roi, mon maître, en se reservant de demander satisfaction de divers actes indecens, insolens, même de votre part, qui se sont repetés depuis mon arrivée, avoit cedé aux sensations de bonté et d'affection dont il a toujours honoré cette république, &c. Sa majesté avoit espéré, &c. que vous apporteriez à la discussion de vos intérêts vis-à-vis de son ministre plenipotentiere ; la *modestie et la confiance* qui vous convenoit à tant de titres, &c. Votre *conduite temeraire,* &c. vos *representations choquantes,* &c. vos declarations seditieuses, &c. &c.

moignage, and marvelled they durst hint at their innocence, *which would imply that his* majesty can be wrong! "It is not by words alone the just indignation of his majesty can be softened!"

The sort of language held by Bonaparte's ministers to all the dependant nations of Europe, is forcibly brought to the reader's mind by the style of this minister of a most legitimate monarch. But it must be admitted, that when the former chose to be arrogant, they generally aimed higher than Geneva; and although they annihilated the little republic, they did not think it worth while to insult an enemy so entirely defenceless.

The threats of the mediating powers were not followed by any coercive measures, and as the *representans* recovered from their terror, they began to take a more decided tone with their magistrates. The whole of the year 1767 passed in a sort of tranquil anarchy, the magistrates lowering, and the people raising their pretensions as the probabilities grew less of military interference from without. Unwilling to incur the expense for an object of no real interest to themselves, the mediators at length advised the parties to settle the matter among themselves, which was in fact leaving the magistrates at the mercy of the people. Of their mutual proceedings

1767.

there is an interesting diary, exhibiting amidst a good deal of childish punctilio and false pride, pleasing symptoms of the progress of civilization and knowledge in the liberal manner of treating the various questions, and in the tone of mutual regard, politeness, and even good humour maintained by the commissioners appointed by the magistrates and the people to confer with each other. They met like private individuals, as official negotiations would have implied a new power in the people, which the magistrates could not think of admitting. The latter submitted from time to time to the *conseil-general* new modifications of the *reglement*, nearer and nearer the pretensions of the people; but as they did not quite come up to them, the candidates proposed for syndics and other offices in the nomination of the people continued to be steadily rejected, and the magistrates saw themselves obliged at last to yield all the disputed points. Their last proposals were accepted the 11th of March, 1768, almost unanimously, 1204 voting for them, and 23 against. The people relinquished the doubtful right of refusing to elect, and received as a compensation the prerogative called *re-election*, that is, the power at every annual meeting of the *conseil-general*, of excluding from the executive council four members.

This sort of ostracism was considered as balancing the excess of the *negative right* the magistrates were allowed to retain. The people obtained likewise a very important definition of the cases in which official imprisonments might take place.

The practice of appointing commissioners on the part of the people, on this as well as on preceding occasions, brought the Genevans again very near the institution of a representative body, which, with the independence of judges, would have put an end to their endless dissensions, and to their disgraceful appeals to foreign powers.

Several members of the councils looking upon the compromise of 1768 as the result of violence, and tending to establish a pure democracy, left the town in disgust; and among the citizens themselves, many, who were of the same opinion, declined attending the annual meeting of the *conseil-general.*

CHAPTER XXXIV.

Natifs the Occasion of fresh Disturbances—Interference of France—Duc de Choiseul and Voltaire—A Code—An independent and supreme Judge—Revolution of 1782—France, Savoy, and Berne besiege Geneva—The Patriots subdued—Claviere—Patriotism suspicious when a Passion—French Revolution.

A CONSIDERABLE number of the lower class of Geneva were strangers, who had settled there for the purpose of trade: they were subjected to restrictions in the exercise of their industry, and could not hold real property; their children, called *natifs*, little more favoured than themselves, being treated like strangers in the place which gave them birth, knew no country they could call their own. Besides natural claims to a more favourable treatment, they pleaded ancient usages, arbitrarily set aside at the reformation, by a proceeding something like the *serratura del consiglio* at Venice. As long as the dispute between the magistrates and the citizens lasted, each party endeavoured to secure the *natifs* to his side, and they obtained, in 1768, some facilities as to their gradual admission to the rights and privileges of burghers, but these concessions did not satisfy

them. Imprudent imitators of the citizens, several of them ventured to brave the authority of government, and were suspected of criminal projects. The citizens, in concert with the magistrates, took up arms suddenly, the 15th of February, 1770; some of the natifs perished in the tumult: eight of them were exiled without the form of a trial, by the *conseil-general*, composed of the same men, who in their own case complained so much of aristocratic and exclusive privileges! After this severe example, some further concessions were made to them; but many left the town, and thought of forming a new establishment at Versoix, on the territory of France*, about a league distant from Geneva.

The Duke of Choiseul, who remembered and had not forgiven the rejection of his project of mediation, is accused of having encouraged the *natifs*, through the French resident Hennin†,

* The natifs, treated like strangers by the Genevans, were considered like Genevans in France, where they enjoyed the same privileges in the exercise of their trades; therefore, they often left their native place to settle there.

† Proofs of a secret understanding between the resident and the *natifs* were said at the time to have been found in the possession of the latter, when they were taken and banished. The former decl ed, nevertheless, the pretensions of the *natifs*

who persuaded him they would alone people his colony of Versoix, destined to rival Geneva. A port was in consequence constructed, some streets laid out, and a few houses built to receive the emigrating Genevese. Voltaire, who had already lived twelve years at Ferney, near Versoix*, was employed to negotiate with the most considerable of the *natifs*, and having sent for them, sympathized in feeling terms in the hardships they experienced, expatiating on the liberality and beneficent views of the French government: "Are you poor?" he said at last; and observing their embarrassment,—"Well! are you rich?"—"No, sir."—"Then sign this paper, for it will make you so!" The paper was an engagement to settle at Versoix.

Displeased with the Genevese of both parties, who agreed in refusing his mediation, he sung

chimerical and criminal after their failure, and extolled publicly the paternal clemency which inflicted only the punishment of exile.

* The registers of the council state, February 1, 1755, le Sieur Voltaire lemande et obtient la permission d'habiter dans le territoire de la republic, pour etre plus a portée du Sieur Tronchin son medicin. He lived, *aux delices*, a country house close to Geneva for several years before his purchase of Ferney on the French territory.

the civil war of Geneva in a licentious poem, in bad taste; one half of which is taken up with the grossest abuse of Jean Jaques Rousseau*; with

* Dans un vallon fort bien nommé *Travers*,
S'élève un mont vrai sejour des hivers,
Son front altier se perd dans les nuages,
Ses fondemens sont au creux des enfers.
Au pied du mont sont des antres sauvages,
Du Dieu du jour ignorés a jamais.
C'est de Rousseau le digne et noir palais;
Là se tapit, ce sombre energumène
Cet ennemi de la nature humaine:
Petri d'orgueil et devoré de fiel
Il fuit le monde et craint de voir le ciel;
Et cependant sa triste et vilaine âme
Du Dieu d'amour a ressenti la flamme.
Il a trouvé pour charmer son ennui
Une beauté digne en effet de lui,
C'étoit Caron amoureux de Mégère.
Une infernale et hideuse sorciere,
Suit en tous lieux le magot ambulant,
Comme la chouette est jointe au Chat-huant.
L'infame vieille avoit pour nom Yachine,
C'est sa Circé, sa Didon, son Alcine.
L'aversion pour la terre et les cieux
Tient lieu d'amour a ce couple odieux,
Si quelquefois dans leurs ardeurs secretes
Leurs os pointus joignent leurs deux squelettes,
Dans leurs transports ils se pâment soudain,
Du seul plaisir de nuire au genre humain.

fulsome praise of the Duke of Choiseul, *Mecene de France—Ministre heureux et de guerre, et de paix*; and of the chevalier de Beautteville*.

Notre Euménide avoit alors en tête
De diriger la foudre et la tempête
Devers Geneve, &c. &c.
Il vous soutient et le pour et le contre
Avec un front de pudeur depouillé
Cet étourdi souvent a barbouillé
De plats romans, de fades comedies,
Des operas, de minces melodies
Puis il condamne en style entortillé
Les operas, les romans, les spectacles.
Il vous dira qu'il n'est point de miracles,
Mais qu'a Venise il en a fait jadis!
Il se connoit finement en Amis,
Il les embrasse et pour jamais les quitte
L'ingratitude est son premier merite,
Par grandeur d'ame, il hait ses bien faiteurs;
Versez sur lui les plus nobles faveurs,
Il frémira qu'un homme ait la puissance
La volonté, la coupable impudence,
De l'avilir en lui faisant du bien.
Il tient beaucoup du naturel d'un chien,
Il jappe et fuit et mord qui le caresse,
Cé qui surtout me plait et m'interesse
C'est que de Secte il a changé trois fois,
En peu de tems, pour faire un meilleur choix.
&c. &c. &c.
Il nous envoye un brave chevalier
Ange de paix comme vaillant guerrier,

When the Duke of Choiseul lost his place, Versoix was forgotten, and with it the promises made to the *natifs*. Voltaire said on that occasion;

> A Versoix nous avons des rues,
> Mais nous n'avons point de maisons.

As for himself he continued to protect these exiles to the time of his death, and made great pecuniary sacrifices in their favour. Ambitious of all kinds of fame, and wishing to unite the reputation of a founder of cities to that of a poet, historian, and philosopher, he built several rows of houses, forming a beginning of a town for the exiles at Ferney, and encouraged their commerce. The empress of Russia*, eager like himself for

> Qu'il soit beni! Grace à son caducée
> Par le plaisir la discorde en chassée.

The remark about *plaisir* alludes to the acting of plays, which the council had been induced to permit out of deference to the plenipotentiaries.

* Ambassadors were sent by Catharine from the banks of the Neva to Ferney, to pay homage and deliver presents to the Nestor of poets, and returned directly to St. Petersbourg after they had fulfilled their mission. Like the Spaniard of old, who came from Cadiz to see Livy, and returned as soon as he had paid the visit; Rome and France containing nothing worthy of attention after Livy and Voltaire! The latter was

public applause, favoured their industry in her dominions.

While Voltaire endeavoured to forward the views of the French minister, by flattering the lower class, and fomenting their discontents, he confirmed the higher, with whom alone he would associate, or be in habits of intimacy, in their contempt for the people, and encouraged among them habits little suited to their situation as citizens of a small republic; the prosperity and high reputation of which was wholly due to the solid qualities, simplicity, and morality of its inhabitants.

It is worthy of remark, that the salary of the magistrates was one of the subjects of dispute between them and the people, not on the grounds that it often is elsewhere; for here the people in-

less honoured by Joseph II. When this emperor came to Geneva, Voltaire fully expected a visit, and that it would take place *incog.*—he had nevertheless assembled a large company to witness his triumph, and placed himself at a balcony looking down the road by which the philosophic emperor was coming; but the latter receiving information of these preparations while on the road, took offence, and turning his horse returned to Geneva. Voltaire received another mortification, for Joseph called on the great Haller at Berne, staid two hours *tête-à-tête* with him, and was heard afterwards to exclaim in his rapture, speaking of him, *Ah! quel homme! quel homme!*

sisted on paying what the magistrates refused to receive. The following declaration is on record, 20. February, 1768: "The council of state rejects the proposal made by the representans to raise to three thousand francs the salaries of the Syndics, and to one thousand five hundred francs those of the counsellors, as tending to substitute sordid views to those principles of honour, justice, disinterestedness, and love of country, which alone animated the magistrates."

The patricians could not forget the humiliation of the treaty of 1768. Such was their resentment, that when the citizens in *conseil-general*, using their new privilege of electing to one half of the vacated seats in the council of the *deux cents*, chose among the first families of the republic, some of the latter received the intended favour with disdain, because it came from the people*.

The efforts of some public spirited and enlightened citizens, such as de Luc among the *representans*, and de Saussure among the *negatifs*, to restore cordiality, proved ineffectual. The latter intended to reform the system of public education instituted by Calvin, and introduce in it the study

* Mr. Necker was then named to the *deux cents*. He was afterwards appointed agent of his government at the court of Versailles.

of modern sciences; but his project, received with enthusiasm by a certain class, was treated with derision by another, as having mere popularity for its object. He only succeeded in establishing the *society of the useful arts*, the object of which is sufficiently explained by its name, and of which some account has been given in the first volume of this work.

The compilation of the code, promised at every new compromise between the magistrates and the people, had never been carried into execution. The former declined going further back than the act of mediation of 1738, or at most to the year 1707, saying, that all before was obscure, contradictory, and abrogated in fact, especially the *worm-eaten charter* and antiquated documents of the fourteenth and fifteenth centuries. "At that rate," replied the *representans*, "we shall have to set aside the Bible, for it is very old!"

1782. The refusal of this code became the immediate cause of the next revolution. As early as 1776, the *representans*, at the head of whom was a young man of great talents (du Roveray), again urged the promised revision and publication of the code, and received the usual answer. At last, the *conseil-general* making use then of the right of re-election, granted in 1768,

deprived four of the members of the executive council of their seats; nine hundred and fifty voting against, and five hundred and fifty for them. A momentary compromise took place, and a commission of revision was named; but the two leaders of the aristocratic party, Desarts and Lullin, had been excluded from that committee, while the opposite leader, Du Roveray, was a member of it. This was enough to occasion the interruption of the work, under a charge of partiality, after two years of unremitted labour. In the code under preparation, the aristocracy saw a settled design of finally humbling and depressing the old families, and being sure of the protection of Mr. de Vergennes, they rejected the project in the *deux cents*, and revoked the commission. The irritation of the *representans*, that is, of a great majority of the people, became extreme.

Neither side understood their real interest, for the magistrates had nothing to apprehend from any code, as long as the application of it was left to themselves without control: it could not abridge their power while they were judges. On the other hand the people, instead of insisting on a code of laws, had better have demanded a sole and supreme judge for life, wholly independent of the councils and of the people, unconnected

with the government, incapable of ever being any thing but what he was, and sitting in an open court. Although this judge might have been elected by the government, although he had belonged to the patrician class, and been selected from among the members of the councils; provided he had not been destitute, we shall not say of morality, but of pride and personal ambition, once in possession of his irremoveable seat, alone answerable for the strict application of the law to the law itself and to public opinion, he would have felt the necessity of keeping aloof from all parties, feeling greater as an insulated power than as a fraction of any other power. The impartiality and uniformity of his decisions would have been ensured by that circumstance alone. Even allowing for some aristocratic prejudices, and for some errors of judgment, constitutional questions would have had an infinitely better chance of being decided correctly and satisfactorily by this national judge, than by kingly arbitrators, ignorant of republican forms of government, and inimical to them.

It is certainly remarkable, that Mr. de Vergennes, who had no particular predilection for civil liberty, and who could not be supposed to have turned his thoughts to the institutions best calcu-

lated to secure that blessing, himself proposed to the Genevese, in 1780, to give up the code, and make the places of judicature independent. He meant independent of the people; but if the people had proposed the absolute independence of the judicial power, and its complete separation from the other powers, the arbitrator and the aristocracy would, in all probability, have given their consent, and all parties would have found their advantage in the arrangement.

The same minister, who had sent a French army to learn democracy in America, and assist colonies in insurrection against their sovereign, who took a decided part against the aristocracy in Sweden, and favoured the democrats of Holland, chose to be afraid of the bad example a diminutive republic was giving to the world. "*Humanity and sound policy*," he wrote to the Swiss diet, the 2d of May, 1782, "require that Geneva may no longer be a school of sedition, and infect other countries with dangerous doctrines."

The French resident, Hennin, used at the same time an argument novel in diplomacy, to induce the Genevans to be more docile: "Gentlemen!" he said, "your political quarrels render you too serious."

It appears certain, that this resident carried on

secret intrigues with the *natifs*, and gave money through an influential demagogue of the name of *Cornuaux*. These proceedings were openly denounced by the attorney-general Du Roveray, and Mr. de Vergennes compelled the executive council to dismiss their courageous magistrate. Mr. de Maurepas appeared ashamed of the part his government was made to act in this affair; although complaining of the restlessness of the republicans, he did not attach so much importance to their dissensions as his colleagues did. "On pretend," said he pleasantly to a Genevan patriot, who recorded the conversation at the time, "on pretend que vous troubléz le répos de notre cour;—Oui—a peu pres comme à l'extremité d'un vaste domaine, le bourdonnement d'une ruche interrompoit le sommeil du maître du chateau!—Croyez moi, mes enfans," added the merry old statesman, "sachez une fois garder l'incognito qui vous convient, et ne vous obstinéz point à instruire l'universalité du globe de vos interminables disputes." But Mr. de Vergennes went on nevertheless, pressing upon Zurich and Berne the necessity of an interference, which had not even been openly solicited as yet by either party, and drawing up of his own accord the basis of a settlement of differences, established

1781.

the right of his government to put an end to them summarily, upon " l'inspection seule d'une carte de geographie, et l'habitude contractée par les Rois de France de faire le bien d'un état devoué depuis long temp à leur couronne! Il y a une fin à tout," he further said; " et lorsque trois puissances ont droit de mettre la paix dans un petit état, et le veulent, la paix se fait!"

The aristocracy has been accused of having kept up the quarrel on purpose, in order to justify an appeal to foreign powers, and to overcome the unwillingness of Zurich and Berne, who did not partake of Mr. de Vergennes' zeal in the cause. It were to little purpose that the private virtues of the members of the aristocracy might be adduced against such an imputation; common wisdom and common morality are scarcely ever found to influence men's motives in political dissensions. Perish the state rather than our adversary should rule, is the preponderating feeling of factions, but especially of the weakest, whatever their patriotic professions may be.

The real cause of political revolutions lies much oftener in the wounded vanity of individuals than in the real grievances of the people; and the defects of government, however great they may really be, are generally a mere pretence in those

who begin or conduct such revolutions, although they are the real motives of those who side with them. The interference of foreign arbitrators, particularly of those who are strong enough to enforce the execution of their award, called for by one of the parties only, is sure to exasperate the other beyond the possibility of forgiveness; a pacification, under such circumstances, proves generally but a short truce, and of this Geneva presents a striking illustration.

The decisive crisis occurred the 5th Feb. 1781: a private quarrel between two individuals of the lower class collected a mob; in the tumult, the arsenal was broken open by four young men among the *negatifs*, and by the followers of *Cornuaux (natifs)*, under pretence of an insurrection of the *representans;* but these, whether they were really the aggressors or not, being the most numerous, remained masters of the field, one man having been killed and a few wounded.

At the news of these hostilities two of the mediating powers, Zurich and Berne, sent their ministers of peace. One of them, Steigner, distinguished in the Bernese senate by his talents and integrity, obtained almost immediately the confidence of both parties, and was in a fair way of effecting a settlement of their differences, when

the French minister interfered. He insisted that the pacificators should meet at Soleure instead of Geneva, "as it would not become the king's dignity that his ambassador should resort to a town where legitimate authority was at an end." The Swiss deputies yielded with reluctance, but would not consent to the proposal next made by the Vicomte de Polignac, the king's envoy, to set aside, as a preliminary, the *reglement* of 1768, on the ground of its having been the result of violence. After a long course of negotiations the Vicomte de Polignac withdrew, by order of his court. In the mean time, the period of an election of fifty members of the *deux cents* had arrived, and by the *reglement* of 1768, one half of the members were to be elected by the citizens, but the French resident declared that the king *expected* the election should be suspended, and complained that the king his master had been alluded to direspectfully in various publications and speeches. *Ils ne savent pas*, said the Comte de Vergennes, in his instructions to the resident, *comment on doit mêler le nom d'un grand roi dans leurs petites querelles!* The *conseil-general* rejected this imperious prohibition, and proceeded to the election; but the executive council declared it void, the *reglement* of 1768 having been extorted by violence. The

natifs, who saw themselves deprived of the advantages conceded to them by some articles of that *reglement*, seemed now disposed to join the *representans*, although they had before sided with the magistrates.

1782. April. A furious insurrection burst out, in which the magistrates and their party ran great personal danger; twelve or thirteen persons were killed or wounded*.

No compromise could now be effected with any confidence, since the last, made fourteen years before, and in operation ever since, had just been declared compulsory, and not binding: all was anarchy and confusion. The popular party in possession of the town, and whose object was to maintain the reglement of 1768, determined to purge the councils of those members most opposed to it, appointing, for that purpose, in *conseil-general, a committee of safety*, which expelled about one-fifth of the members of the two councils, and detained twelve of them as hostages, as well as a number of their friends. This revolution, the most violent Geneva had yet experienced, excited

* A lady, eighty-two years old, was shot dead, when looking out of her window. The latter incident, circulated in foreign newspapers, made an impression very unfavourable to the popular party.

universal scandal. Berne was the first to express her high disapprobation, and to that canton and to Zurich the *representans* addressed an apology for their conduct, representing the magistrates as aggressors, and contending, that as the people assembled in *conseil-general* were the sovereigns, they could not be assimilated to revolted subjects. Zurich declined an armed interference in this doubtful cause, but Berne considering that M. de Vergennes would at any rate send troops to reduce Geneva, and being informed the court of Turin was to join in the measure, thought it prudent to take the field likewise, to watch their motions, and prevent any advantage being taken contrary to the interest of Switzerland. Six thousand French having crossed the Jura, appeared before Geneva, which they invested on the north side, while twenty-two companies of Piedmontese approached from the south. A body of two thousand men from Berne joined these forces, forming together twelve thousand. The people of Geneva appeared determined to stand a siege, and worked night and day at the fortifications, very deficient on the side of France, unpaved the streets, and erected barricades.

The idle and the curious all over Europe, to whom America had ceased to furnish amusement,

turned eagerly to this new and extraordinary crusade, in which the powers engaged were so disproportionate to each other, and called it the *guerre des Nains* (a pun on the name d'Hennin). The grand duke of Russia (Paul), who was at that period travelling *incog.*, defined it *a tempest in a tumbler of water.* The kingly rejoiced to see that an example was about to be made, once for all, of a nest of rebels, whose reiterated and obstinate disobedience appeared to them a scandal not to be tolerated. There were, however, in the besieging army, some corps lately returned from America, among whom very different ideas were entertained, which were communicated to their companions. The friends of the rights of the people, already very numerous in France, looked with horror and disgust upon an attempt to put down civil liberty by violence; and a French general officer declined the command, offered to him, of the forces against Geneva.

The French erected their principal batteries at the *Delices,* Voltaire's country house, and precisely the spot whence, describing the delightful view over Geneva, he had once said of it, *les états tous égaux, et les hommes tous frères.* His countrymen might now contemplate a very different state of things, and the change was partly due to the

poet himself—to discontents encouraged among a certain class of citizens, and to pride nourished in another, by which the equality that he had chosen to extol, without having the slightest taste for it, had been destroyed.

Twelve of the *negatifs*, detained in the town as hostages, were exposed to imminent danger from irregular violence, or premeditated retaliation; and the upper part of the town was threatened with destruction, a quantity of gunpowder having been placed there to alarm the aristocracy on the safety of their dwellings.

The besiegers conducted their operations with the utmost circumspection; unwilling to incur the odium of having struck the first blow, and wishing to allow the inhabitants time to see the hopelessness of the contest, and listen to the terms they were authorised to offer. The threats, rather too often and too loudly repeated by the patriots, of burying themselves under the ruins of their walls, and the mighty preparations to that effect, ended in a quiet surrender, which would have been less inglorious if it had been made sooner. The terms, apparently moderate, imposed the banishment, forty leagues from Geneva, of twenty-one individuals by name, who were to be furnished with

passports to leave the town, and retire which way they pleased, unmolested.

The independence of the republic was expressly stipulated, and its occupation was not to be protracted beyond what was absolutely necessary for the restoration of peace. On these conditions Geneva opened its gates. The members of the *committee of safety* had previously sculked away to save their lives, not from the enemy, but from their own friends the populace, always ready to turn against the fallen. Not a drop of blood was shed on either side, and the allied troops observed the strictest discipline. The Marquis de Saucourt, general and plenipotentiary of the King of France, chose to make a triumphant entry; but the Bernese general Lentulus, and the Comte de Marmora, who commanded the Piedmontese, avoided all ostentatious display of superiority. The latter particularly endeavoured on all occasions, by his humanity, delicacy, and tenderness to the vanquished, to obliterate the national prejudices existing against a sovereign, successor to the dukes of Savoy. The Genevans received their masters with gloomy reserve; some left their country in despair, never to return; all seemed to look upon the triumphant

1782.

party of their former magistrates with even more jealousy than upon the enemy. A woman complaining to the French general of some injury she had received, the latter pointed to the syndics, who were then near him, and said, "My good lady, here are your magistrates, who will do you justice." "Forgive me, my lord," replied the woman, "I never apply to servants when I can speak to the master!"

Preluding on the key which, seven years later, he was to strike with so much force and effect, Mirabeau on this occasion addressed to Mr. de Vergennes an energetic memorial, full of the talents which he afterwards displayed in a far greater and more fateful cause:—"Should the cabinet of Versailles impose a constitution purely aristocratical on those republicans," he said, "it must expect to be for ever importuned with their representations and clamours: an ant's hill crushed by the foot of an elephant cannot be at rest, &c. &c.—It is a vain attempt, to pretend reconciling parties which owe their violence to the hopes and the fears this very interference excites," &c.

The allies and the aristocratic party now formed a new constitution, in which every precaution was taken to ensure the future dependence of the people. The election of half the *deux-cents*, and

the right of re-election, was taken away from them, and their legislative powers otherwise reduced. The ancient prerogative of electing the syndics and inferior judges every four years was even so far abridged, that these magistrates, once elected, retained their places, unless rejected at the end of four years, by three-fourths of the votes; making their re-election depend on the minority, and a very small one, instead of the majority: the right of voting subsidies was restricted, and a number of new and permanent taxes imposed. The only stipulation at all favourable to the people was the associating to the *deux-cents* thirty-six citizens annually elected, for the purpose of presenting public grievances to that council, and sitting with them when those grievances were under consideration. The liberty of the press was submitted to a legal censure, and the twelve circles, to which the citizens were accustomed to resort, stigmatised with the name of *conciliabules politiques*, henceforth forbidden. The militia was suppressed and disarmed, the garrison increased from seven hundred to twelve hundred men, commanded by strangers, and lodged in barracks. An oath of fidelity to the new laws was imposed on the citizens; but as the Comte de Vergennes had promised not to dictate to them, these laws were

submitted to the *conseil-general*, purged, however, of all suspected members, and reduced from about sixteen hundred to five hundred and twenty-four members: one hundred and thirteen of the latter number, however, refused their assent. The result of this garbled meeting, which received, by the courtesy of the new constitution, the name of *souverain conseil*, was proclaimed with the ringing of bells, and medals were struck on this occasion. A general amnesty passed the next day, from the benefit of which seven individuals were excepted; the noted Claviere was one. We mention him here not so much on account of the part he since acted in the French revolution, as because his history furnishes a striking example of the influence of wounded vanity in political opinions, or, at least, on the choice of a party.

The father of Claviere was a stranger: therefore, although born in Geneva, and a burgher, he was not a citizen, nor eligible to the magistracy. Being rich, and a very clever man, he would have been tolerated, notwithstanding, in the highest society, but he was engaged in trade, and his wife had been born in the *Rues Basses*—circumstances of a decisive nature at Geneva. Thus excluded from the enjoyment of power and

of fashion, Claviere aspired, at least, to those blessings for his children; but his efforts to have them admitted, at their birth, into the envied society*, proved unavailing. It nearly broke his wife's heart, and made him turn patriot.

Exiled in 1782, Claviere went to Paris, and the French revolution found him there. He was much connected with Brissot and the Girondists, and perished with them, although not on the scaffold, but by his own hand. During the short period of his power, he meditated schemes of revenge against his country; and it was at his instigation that the minister of war, Servan, gave the following orders to General Montesquieu, who had invaded Savoy†—"*Although you treat with Geneva, it must end as if you had taken the place, by garrisoning it.*" Montesquieu behaved with great moderation and humanity; but if he had obeyed his secret instructions, the *aristocracy of Geneva* would have been *swept off into the Rhone.*

Wounded pride or wounded vanity has made

* See, in the description of Geneva, an account of the *Societés du Dimanche*, vol. i.

† The Marquis de Montesquieu was the first revolutionary general who made conquests for the republic, and the first proscribed.

more revolutions than tyranny. The influence of these feelings may be traced in so many individuals, not only among the Genevan patriots but among all other countries, as to warrant the general assertion. We must not suppose that this influence is confined to men of little minds—to the vain, the selfish, and the profligate—humanity at large partakes of the weakness: it is common to heroes and to philosophers, to honourable men and to knaves, and perhaps more to the former than to the latter. Although a celebrated writer of the last century should have made out his assertion of *Taxation no tyranny* in the case of America, Americans would still have found tyranny enough in the infliction of wounds to their feelings or opinions, and of premeditated neglect or humiliation, to justify any revolution. A principle of action so universal becomes almost legitimate; and we may say there is a morality of vanity, which it is a point of duty as well as of good policy not to violate.

In the first violence of their despair, the Genevan patriots determined to emigrate. The United States were open to them, but there again they fancied they should feel the hated influence of the Comte de Vergennes. Lord Shelburne in England invited them over; they were offered

land in Derbyshire by Lord Mahon *, who had lived several years at Geneva, and by his father Lord Stanhope. But Ireland appeared to them the most eligible place; and they were on the point of emigrating to that island, where the lord-lieutenant and several Irish noblemen promised them protection. A change of ministry deranged these plans, and gave time for prudential considerations to overcome resentment. A few individuals crossed the Channel, others the Ocean; but the idea of emigration *en masse* either to Great Britain or Germany, where the Elector Palatine and other sovereign princes had made liberal offers, was abandoned.

It may be deemed an ungenerous reflection, although true, we believe, that patriots often find, in their sober moments, that were it not for the name of being free, they can live well enough without freedom, and enjoy the fruits of their estate, although the title-deeds happen to be mislaid. The love of liberty, which, like other loves, has full as much of fancy in it as of appetite, is apt to yield to a new passion; the love of power for instance. Some of the patriots exiled in 1782,

* Lord Mahon, who had been made a citizen of the republic of Geneva, wrote to resign his title and privileges there.

who have returned to Geneva with mended fortunes, more experience, and a share of power, wonder now, in perfect sincerity of heart, at what they felt thirty or forty years ago, unable to discover any traces of the charms of their former mistress. Admirable as patriotism is when a virtue, it must ever be suspicious when a passion.

The aristocracy, who dreaded at first a general emigration, and appeared disposed to soothe the passions of the multitude, ridiculed their project when they found it not likely to be carried into execution. Splendid buildings were erected for barracks in the upper part of the town, and an elegant theatre. The young men of the aristocracy endeavoured to naturalise at Geneva the pleasures of the capital of France, banish Calvinistic severity, and realise Hennin's plan of making the Genevans *plus gais*. But the middle class was not allured by these novelties, and looked upon them with jealousy and disapprobation.

The last notice the Comte de Vergennes took of the Genevans was an application to the different protestant courts, to induce them to offer congratulations to the republic on the happy restoration of peace and prosperity; while the strictest silence was otherwise imposed on the

1787. 12th Feb. French press respecting Geneva. His death was considered as the signal of a happy deliverance by the majority of the people.

However triumphant the magistrates might have shown themselves, it is admitted by the writers on the popular side, that once in full possession of the object of their wishes, they used it with gentleness; and that their administration continued, as it always had been, faithful, diligent, and economical. They even suffered some of the most obnoxious regulations or prohibitions to be evaded. The circles, for instance, were re-established under other names.

A mild sort of pedagoguical despotism, descending to petty regulations, might be felt by those who wished to pass the *Guichets* (wicket-gates of the town) after sunset, or dance later than midnight: but no period of the existence of the republic of Geneva was in fact more flourishing than the one which elapsed between the two revolutions of 1782 and 1789. In the grand question of their political point of honour the victorious party felt satisfied; but it was precisely there that their adversaries remained wounded; and there can be no peace or sincere reconciliation under such circumstances. The conseil-general was

scarcely attended by one-third of the citizens; and those who did attend rejected by great majorities a code of laws compiled in the spirit of 1782. Candidates for the thirty-six adjunct members of the *deux-cents* could with difficulty be obtained. A serious riot at the theatre, and several slighter disturbances, indicated the lurking irritation of the public mind, which broke out into open revolt on the occasion of an ill-timed augmentation of the assize of bread regulated by government. It was confined to the lower class, and to strangers; few of the citizens were engaged in it. One of the bystanders having been killed accidentally by the soldiers of the garrison employed in quelling the tumult, it became the more violent, and the people, entrenched behind hay-carts, threw boiling water by means of fire-engines upon the troops sent to force them. The commanding officer, Fatio*, was shot through the head; there was a good deal of blood shed, and all attempts to subdue the rioters proved unavailing. Cotemporary writers on the popular side affirm that the citizens remained inactive spectators of this scene, and that the magistrates

* A descendant of the patriot of that name, shot by order of the magistrates in 1707. The destiny of that family was to be the victim of both parties.

were reduced to the necessity of applying to them for assistance. In the end, deputies were appointed by the magistrates and the citizens to confer together. They met with dispo-
1789. Feb. sitions mutually conciliating; for the intervention of mediating powers was still an object of dread to one party, while the other had but faint hopes of obtaining it. A regard for these powers prevented the obnoxious edict of 1782 being repealed; but several amendments restored in a great degree the influence the people had lost. The exiled were recalled, the publicity of criminal trials—the admission, at least, of a certain number of persons in the court—was granted, the terms of admission of the *natifs* to the rank of citizens were regulated to their satisfaction: finally, the assent of the *augustes puissantes garantes* to an arrangement which was, in fact, a violation of their guarantee, was asked for form's sake. But their attention was then engaged by events of a far more general importance; forerunners of a mightier revolution, and they took no further notice of Geneva.

1789. Feb. 8. This revolution seems to have been followed by the restoration of harmony: many among the aristocratic party were satisfied that an excessive and improper use had been

made of victory in 1782, and approved sincerely of the present compromise between opposite feelings and opinions. There had not been since 1738 better hopes of permanent tranquillity, and universal joy seemed to pervade the republic. They little knew how near they were to a frightful interruption.

The ceremony of the first federation at Paris in 1790 produced a riot at Geneva: the lower class of inhabitants, after passing a day of festivity and drunkenness on that occasion in the neighbouring French *communes*, returned with the tricoloured cockade in their hats, vociferating national songs, and threatening violence against the better class of citizens. They were checked by the latter: but the anniversary of that day, the following year, brought on another paroxysm of equality; and each successive revolutionary movement in France produced a responsive agitation at Geneva, till at last, in 1793, the French resident, Servan, found means of introducing a body of French troops, and remained masters of the town*. A tribunal of blood was established the

* These transactions have been faithfully recorded by M. D. Chauvet, one of the Genevan patriots exiled in 1782 by the aristocratic party, and therefore not prejudiced against revolutionary principles; but too honest and enlightened a man to

following year, under the guidance of another resident, *Soulavie*, sent by the *Comité de Salut Public*, which passed seven hundred condemnations, all accompanied with confiscations, and shed the best blood of the country, although many purchased their lives. Arbitrary contributions, of from twenty to forty per cent. on the supposed fortunes of the citizens, ruined those who escaped death.

Here, as in France, a handful of assassins were inconceivably permitted to carry on this work of death and spoliation in the face of a whole people, their victims, whose slightest opposition would have arrested their hand. The following account of one of those days of horror (14th July, 1794) was given to us by an eye-witness. "The revolutionary tribunal had just condemned seven of our most respectable citizens, men who stood highest in our esteem—some of them eminently distinguished. The judgments of this tribunal were usually submitted to a tumultuous assembly called the *people*, and hitherto confirmed. On this occasion three of the condemnations were reversed, but the frantic cries of the minority

disguise the truth on either side. Mr. Chauvet lived twenty years in England, where he is still remembered and highly respected.

awing the compassionate into silence, the victims were brought out for execution. About three thousand men stood under arms on the spot, most of whom abhorred the deed; but they had been kept there all day, and felt exhausted and heart-broken: the tumult, clamour, and obscurity—for it was night, and by torch-light—made the number of the *buveurs de sang* appear greater than it was in reality. One only of these armed citizens —his name should be recorded before the gratitude of his cotemporaries sleeps in the grave—(Mr. Masbou)* had the courage to step forward, exhorting, in the most animated terms, his companions in arms to follow him and rescue innocent men about to be butchered under their eyes, in defiance even of the solemn vote of their judges! No one moved; and the generous man had to defend his own life against the swords of assassins immediately raised against him. He escaped with difficulty." We ventured to speak to that gentleman himself on this honourable yet abhorred circumstance of his life. He told us, that, as soon

* The same feeling induces us here to mention the names of the courageous citizens who defended the victims of that day before the revolutionary tribunal, and it was not an undertaking of less danger: they were three, Gosse, Prevost, and Moulton.

as the platoon had fired on the victims, the whole mass of people, militia, judges, and executioners, dispersed in confusion—shame, remorse, weariness, cruelty itself, like a glutted tiger, longed for rest: all fled directly to their homes and shut themselves up! Not a patrol was seen about the streets for the remainder of the night, and terror alone stood sentry on the fatal spot. An uneasy, feverish, frantic impulse led him back again to that spot. All was hushed—his footsteps the only sound: the victims lay different ways. The night was now calm and clear; and through the shade of the lofty avenue of the bastion, where the execution had taken place, the light of the moon showed him at intervals the marble countenances of the dead, sleeping in peace! One of those victims had written a few hasty lines with a pencil on a scrap of paper to his wife and children, which he threw at random among the crowd just before the firing: it was picked up and delivered. The individual who pronounced the sentence of death on that night, killed himself eighteen years after at Geneva.

CHAPTER XXXV.

The History of Switzerland resumed from the Death of Zuinglius—Great Change in Manners and Morals—Political Union of the Cantons weakened—Religious Wars during the whole of the Seventeenth Century—Death of Louis XIV.—End of religious Controversy, 1712—The Aristocracy strengthened—Exaggeration of Travellers respecting Switzerland.

WE have interrupted the history of Switzerland at the death of Zuinglius. A. D. 1531. The peace which followed the battle of Cappel, where that celebrated reformer lost his life, fixed, with some degree of permanency, the geographical boundaries of the two religions, and limited the action of their intolerant zeal. We need not be astonished at the dogmatic eagerness and violence with which doubtful points of abstract doctrine were at that time pursued, when we see the same exaggerated importance now given to certain legislative hypotheses, to which future generations will perhaps scarcely turn their thoughts. The theories of those times apparently concerned our celestial, as those of this day our earthly welfare; but, under the cover of both, men are too apt to contend for the mere gratification of their pride, and to lose sight of genuine

patriotism at one time, as much as of the true Christian spirit at another.

The great change operated by the Reformation in the domestic and public morality of the Swiss opened their eyes to *the wickedness of the traffic of lives*, to which they had been addicted; for it was thus the Bernese deputies characterised their mercenary wars. Military glory lost some of its attraction in their eyes, and they became ashamed of the mercenary views with which its lustre had so often been sullied. Yet we see them still acting a conspicuous part in many of the French wars under Francis I. (who never paid, but called them his *amis de cœur*), and again under his successors. A battalion of six thousand Swiss inclosing Charles IX. in their hollow square, defended him against Admiral Coligny and the Prince de Condé, and carried him safely from Meaux to Paris. But it is not our object to follow the detail of wars no longer national.

The difference of religion between the cantons had unfortunately loosened the bonds of their political union—ill-will and jealousy succeeding to their ancient cordiality and confidence towards each other. Such was the influence of these new feelings, that, if the power of Charles V. had lasted much longer, with his hatred against Pro-

testantism, it is not improbable that one half of Switzerland would have assisted him in destroying the other. The catholic cantons did not scruple to countenance the claims of Emanuel Philibert, duke of Savoy, against Berne, for the Pays de Vaud and Chablay, taken from him, and forced Berne to relinquish the Chablay. Geneva was again brought into immediate contact with Savoy, nearly inclosed on all sides, and separated from its allies.

The massacre of St. Bartholomew united for a while the two religious parties in Switzerland into a common feeling of horror and detestation. French protestants, who escaped with their lives from the treacherous sword of their own countrymen, found a ready hospitality in all parts of Switzerland, as well as at Geneva; and a refinement of inhumanity did not attempt to deprive these fugitives of an asylum in foreign lands, as, under circumstances fatally similar, has been done in our own time.

In the canton of Appenzel, the catholic magistrates having turned out some protestant ministers, so serious a quarrel ensued between the two communions, that other cantons were called in as mediators. They made use of a novel expedient to restore peace—a sort of political divorcement!

The country was *divided fairly* between the two parties, and a river marked the boundaries. The catholics passed on one side, and the protestants on the other, selling or exchanging reciprocally their fields and houses. The two divisions were called Rhodes Interior and Rhodes Exterior. It was decided they should each name their own deputy to the diet, whose two votes telling only as one, they lose it unless they agree. The people have lived in good harmony ever since.

Two sovereign houses had survived the successive destruction of all the others within the bounds of Switzerland—the house of Neuchatel and the house of Gruyere. The succession of the former became an object of litigation by the extinction of the direct line in 1551; and the states of the country pronounced in favour of Leonor d'Orleans, duke de Longueville, and of Jaques de Savoie, duke de Nemours, jointly, being both nephews of the late prince. Queen Mary of Scotland, mother of the Duke of Nemours, opposed the claim of the other, and appealed from the decision to the parliament of Paris. But the Bernese were bound by their co-burghership to protect the decision of the states, and it was evident the parliament of Paris had no jurisdiction whatever in the matter; yet Henry II. protector

of Queen Mary, received their remonstrances coldly. They prevailed at last; and, as the principality could not be divided, they pronounced in favour of the Duke of Longueville. The same case occurring again in 1707, the extinction of the direct line, the *states* decided in favour of the King of Prussia among the collateral claimants. The representative of this prince made oath, in his name, to maintain the constitution, which, although far from popular, has made the people happy and prosperous. Neuchatel is remarkable for the public spirit of its inhabitants, and their general mental cultivation.

The Count of Gruyere followed a different policy, and with different results. Rich and powerful as early as the eleventh century, but too fond of splendour and of war, they engaged in all the disputes of their neighbours, belonged to the noble fraternity of the *Cuillere*, shone in foreign service, ran in debt, successively alienated to their subjects most of their feudal rights, and finally mortgaged the land itself to Berne and Fribourg. The last of the family was dispossessed by his creditors, and ended his days in poverty about the year 1570. His subjects, who, by the payment of his debts, had proposed to purchase the independence of their country, submitted with

great reluctance to the cantons; but all resistance proved unavailing, and they were in time reconciled by the justice and mildness of their new masters.

1635. Pius IV. observing the dispositions of the catholic and protestant cantons towards each other, negotiated with the former, and made a treaty by which they were to furnish troops, and his holiness money, for the defence of catholicism, that is, to kindle a civil war in Switzerland. The King of Spain went further, he wanted to restore the *hereditary* dominion of his ancestors the Dukes of Austria over Helvetia. Circumstances did not permit either to carry their views into execution, but Gregory XIII. successor to Pius, preached a holy league against Geneva, the head quarters of heresy, and against the protestant cantons. Borromeo, the virtuous archbishop of Milan, had founded a Swiss seminary to furnish missionaries for Switzerland, and showed a disposition to persecute the protestants of his diocese: so difficult is it for the best of men to tolerate opposite opinions in matters of faith.

Among the Grisons, the catholics were protected by Austria and Spain; the protestants by France and Switzerland; and two powerful families, the *Salis* and *Planta*, were at the head of these

parties, the alternate triumphs of which were often attended with bloodshed. The people of the Valteline, subjects of the Grisons, and zealous catholics, were countenanced as such by the Spaniards; they made a *St. Bartholomew* of the protestants, and not only escaped the punishment the cantons were disposed to inflict, but made themselves independent. Fifteen years of troubles, cruelties, and devastation, were the consequence. The Grisons, finding means at last to exclude foreign influence, regained some sort of tranquillity, and with it the protestant religion made considerable progress in the country.

The whole of the seventeenth century presents a succession of religious wars in Switzerland, attended with incredible misery. They led to no result, and the melancholy details might now appear uninteresting. An event of considerable importance to Swiss independence awakened public attention about the beginning of the eighteenth century. Louis XIV. had unexpectedly taken possession of Franche Comté, in the immediate neighbourhood of Switzerland, and built a fortress (Huningue) to keep Bâle in check. A coalition of the principal powers of Europe having formed against him, and their armies advancing towards the Rhine, the Swiss were earnestly solicited to

take an active part in a war, to the result of which they could not be indifferent. They withstood the temptation, however, and maintained a strict neutrality, although the revocation of the edict of Nantes filled the protestant cantons with resentment as well as dread. They expressly forbid recruiting for France, but the catholic cantons felt no such reluctance, and there were altogether thirty-two thousand Swiss in the service of France.

The war for the succession of Spain, which again armed all Europe, exposed the Swiss to new temptations and new difficulties on the subject of their neutrality, between powerful competitors, but the latter found it for their interest to agree that the territory of the confederate republic should be respected.

Switzerland was no sooner relieved from those apprehensions, which the insatiable ambition and haughty pride of Louis XIV. could not fail to excite among all his neighbours, than the reciprocal jealousies of the two communions resumed their usual influence. The small district of Toggenburgh was the immediate occasion of their misunderstanding. That district, containing at most fifty thousand souls, had been sold to the abbot of St. Gall by the heirs of the counts of Toggenburgh, with a reservation of the privileges of the people;

but the abbot of course favoured the catholics, while Zurich and Appenzel, their immediate neighbours, sided with the protestants, who were about equal in number. Schwytz and Glaris, co-burghers of the people of Toggenburgh, interfered likewise as the natural umpires between them and the abbot; but the latter declined submitting to their decision, depending for assistance on a secret treaty with the Emperor Joseph I. Zurich and Berne took part against him, and appearing before St. Gall with 35,000 men, drove away the abbot, who could only muster 6000. They had, however, to encounter, soon after, the whole forces of the catholic cantons, and a sanguinary battle was fought between Swiss and Swiss. Victory declared for the protestants on the same field (Vilmergen), where fifty-six years before they had beaten the catholics. The peace which followed, although concluded on liberal terms, secured to the conquerors some advantages, objects of regret for the other party. Louis XIV. who preserved still the tone without the authority of other times, intimated, through his ambassador, that as a common friend he *could not permit* that the Helvetic power should be weakened by divisions, &c. The protestant cantons understood the meaning to be, that if they persisted in withholding any portion

of the territory they had taken from the catholics, he would compel them to restore it; but the hint was disregarded, and they refused even to join the catholic cantons in a new treaty with that prince: he therefore concluded a separate one with the latter, in which they admitted a sort of right on the part of the great monarch to interfere in the settlement of their internal differences. The protestant cantons, who had not even been consulted on the subject, learned the transaction with equal surprise and indignation, and it widened the breach between the two parties. Things were in this situation when Louis XIV. died, leaving subjects tired of his declining glory, enemies who had ceased to fear him, and not one friend. But the conciliatory policy of the regent soon healed old wounds, and paved the way for that general alliance with all the cantons, effected in the following reign (in 1777), for fifty years: it was to have lasted to the year 1827!

Fanaticism had cooled every where in Europe, and religious controversy was no longer in fashion. This change favoured the reconciliation of the two great parties which divided Switzerland, and although many years elapsed before disputes, carried on so long, and with such violence, could be wholly forgotten, yet they never went the length of civil

war, and blood was shed for the last time in 1712, in the mistaken cause of religion; but the moral severity introduced by the reformation continued to prevail. Stanyan, a British minister in Switzerland, who published a curious book on that country in the year 1714, observes, that "The consistory (of Berne) is composed of ecclesiastics and of seculars; the latter more numerous. This court takes cognizance of matrimonial causes, adultery, fornication, and other acts against morals. Adultery was formerly punished with death for the very first offence; now the third only is made capital, but the culprit is deprived from the very first of his office, if he holds any, and declared incapable of serving in any public capacity."

As religious disputes lost their interest, those concerning political rights began to agitate men's minds, not for the first time, indeed, but with more force than formerly.

The cantons held in sovereignty, jointly or severally, various districts of considerable extent, purchased or conquered by them at different times. The subjects of kingly republics generally find their masters not the less arbitrarily inclined for all their abhorrence of the yoke in their own case. Glaris quelled, with a high hand, the revolt of the Werdenberg, and imposed a heavy fine as a punishment. 1722.

The people of the valley of Livine, on the south side of the Alps, rebelled against the
1755. bailiffs sent them by the canton of Uri, just as the latter had done four hundred years before against the Austrian bailiffs, with less cause, probably, but with very different success; for they lost the privileges they possessed already, and their leaders atoned for their temerity with their lives. Our Swiss republicans, either of the democratic or aristocratic cantons, dreamt little of the right of others while their own were secured, and did not, in any instance, think of admitting their subjects to a co-partnership on equal terms; but finding them in a state of subjection, kept them so, without scruple.

The people of Neuchatel likewise quar-
1768. relled with their Prussian governor; but the senate of Berne, in virtue of the co-burgher-ship existing between the two states, decided in favour of the governor, and enforced their sentence by an armed force sent at the expense of the disobedient. Frederic readily granted his pardon. Upon the whole Switzerland enjoyed, during the last century, a high degree of prosperity and happiness. It afforded a living image of those antique forms of government of which history has preserved the remembrance, the *patriciate* of Rome, and the democracies of Greece. The simplicity,

morality, and successful industry of the warlike yet peaceful Swiss, were the theme of most travellers, who thought they saw in the country of William Tell an epitome of the golden age in its purity. Others, more inclined to criticise than to admire, represented, in strong colours, the pride and tyranny of the aristocracies, and the rudeness, ignorance, and anarchy of the democracies, as well as the impotent and disorganised state of the heterogeneous federation. "All confidence was lost at the reformation," says Stanyan; "the cantons became jealous of each other, and the Helvetic diet met only to transact the business of the subject bailiwicks, held in common, and keep up the appearance of union no longer existing," &c. "As to mutual assistance," he says again, "the protestants and catholics are so little cordial, that they would not stir a step one for the other: all the cantons would like to see the power of Berne diminished." A medium between views so opposite, and full of exaggerated and partial colouring, might have furnished a truer picture. Switzerland had lost, in point of political union and strength, by the reformation, what it had gained as to private happiness and morality, and the latter had probably been secured by the very deficiency of the former, which prevented its meddling

with the quarrels of other countries. On the other hand, the profound peace Switzerland enjoyed, both internally and externally, for so long a period, does not seem to have been favourable to the progress of the human mind; for we find among the Swiss of the last century a multitude of estimable, but very few great men—a fact upon which there is possibly full as much cause to congratulate as to condole with them.

CHAPTER XXXVI.

Natural Differences between the Cantons—The seven old aristocratic Cantons—The six old democratic Cantons—Corrupt Administration of Justice in the democratic Cantons—The Grisons—The Tyrolians.

THE several states and cantons forming the Helvetic league had nearly a common origin and similar beginnings, but various circumstances, and chiefly those of geographical situation, subsequently determined the differences observable in their respective constitutions. The inhabitants of the plains were naturally induced to fortify their principal residence with walls for the purposes of defence, and of liberty, and it became a town. Those of the mountains, sufficiently secure by their position, continued to live in scattered villages and hamlets in the open country; the town became the seat of government, and the management of public concerns fell by degrees into the hands of townsmen exclusively, while, in the Alpine regions, the general assemblies of the people continued to rule. Neither the one nor the other were disposed to admit new comers to a participation of power, and the families of the first founders therefore retained the sovereignty, although a considerable

degree of inequality gradually prevailed among them, more especially in the town-cantons, where the right of filling vacancies in the council finally rested with a few. The rest of the inhabitants in or out of the capital city being merely subjects of the aristocracy.

The aristocratic cantons, seven in number, may be placed in the following order, which nearly is that of their respective concentration of power. Soleure first, Lucerne and Fribourg next, Berne certainly last of the four, although a contrary opinion may prevail among those who are only slightly acquainted with Switzerland. There was at Berne a systematic, and, as it may be called, a constitutional opposition among the burghers, out of the council, which had a salutary influence unknown in the three first aristocracies. At Zurich, Basle, and Schafhausen, there was a mixture of democracy.

The democratic cantons were six: Uri, Underwalden, Schwytz, Zug, (commonly called the four Waldstetten), Glaris, and Appenzel, to which nine new democratic cantons have of late been added: Vaud, Argovie, Thurgovie, Tessin, formed from subject provinces, or dismembered from old cantons, St. Gall, Grisons, Valais, Neuchatel, Geneva, allied formerly to the Helvetic league, now member of it. The distinction of aristocratic and de-

mocratic cantons is, however, comparative only. A pure democracy never existed, in fact, any where; but here, the very form and letter of these pretended democracies were aristocratic; for, in all of them, the descendants of the first founders of liberty, the burghers from descent or admission alone, enjoyed political rights, and were sovereign. They scarcely formed one half of the male population, and in some of the cantons one fourth only. Once a year, on a stated day in the spring, the *freemen*, above sixteen years of age, met in a church, or in the open air. In a population of 20,000 souls there were generally 3 or 4000 of these, freemen. The aggregate population of five of the democratic cantons, that is, all but Appenzel, amounted, in 1796, to 83,000 souls, out of which there were scarcely 20,000 freemen (burghers). The latter governed besides various subject districts, forming a population of 337,000 souls, making altogether twenty subjects to one democratic king. All Switzerland was in fact aristocratic, the cantons differing from each other in degrees only. In one of the most aristocratic (Fribourg), seventy-one families, with their collateral branches, say altogether 12 or 1500 individuals, governed, exclusively, a population of 73,000 inhabitants, while, in the most democratic,

the proportion of the governed to the governing was, as we have seen, twenty to one, or taking only the male population as ten is to one. Men are always more tenacious of their authority over those nearly their equals, than over those decidedly their inferiors. Our republicans have accordingly showed themselves very ready to repress any attempt at resistance, not only on the part of their own subjects, but those of other cantons. When, in 1653, the peasants of the aristocratic cantons revolted, the democratic cantons were the first to take up arms against them. A great degree of corruption prevailed in the administration of justice. "It is undoubted," said Stanyan, "that in the subject districts, especially those held jointly by several of the democratic cantons, justice is in a great degree venal, and that it forms the main source of emolument to the baillies. All those crimes which are not capital are punished by fines, which are their perquisites! In civil causes, he who pays best carries it!" Thus it was to the time of the revolution, but there are now no subject districts, and we hope the revolution, which made them independent, operated a reform in their administration of justice.

The freemen appear in their general assembly, or landsgemeind, (in some of the cantons, if not

in all), with a sword by their side, and their chief magistrate (in Uri, at least); stands in the middle of the circle, leaning on his sabre, and attended by his officers. The three or four thousand sovereigns decide, in the course of one or two days, on all matters of state, make laws, lay taxes, decide on war or peace. They elect magistrates, that is, members of one or more councils, who execute at leisure what has been decreed in the landsgemeind, and act as judges civil and criminal. Before the revolution, all places under government in the subject districts were notoriously sold at so much a head for the three or four thousand sovereigns—it was not dear; three or four shillings sterling to each: they themselves stipulating the sum previous to the appointment. The rich province, now canton, of Thurgovia, was, before the revolution, the joint property of the eight oldest cantons, which each in turn sent a baillie to govern it. These baillies were only two years in place, and it is well known that those sent by the democratic cantons paid each as much as 10,000 florins for the appointment; therefore the Thurgovians rejoiced when it was the turn of the aristocratic cantons to send them a master! To manage a landsgemeind required much skill of a particular kind—a mixture of specious eloquence,

jokes, and flattering speeches, under the guise of blunt frankness, and firmness withal to check the enterprise of inferior demagogues. The leaders, honourable men very often in private life, stooped without hesitation to the meanest tricks to answer their political purpose. The most rigorous system of monopoly pervaded every part of the administration of these democratic cantons. In several of them, strangers would scarcely have been allowed to reside permanently; toleration, in regard to religion, or opinions different from those established for ages, were unknown, and improvement of any sort was nearly at a stand. These defects were tempered and compensated by moral qualities equally marked. The people were individually honest, frugal, and simple: their patriotism was pure love of their country, not vanity; they did not pretend this beloved country was superior to others, but preferred it on other accounts. The result was an originality which struck and interested immediately, although a state of society where the person is free, but the mind is cramped and enslaved, and where "tout ce qui depasse la mesure du pays n'est qu'un état de souffrance" cannot long please those who were born there. Such were the outlines of those celebrated democracies of Switzerland. Nothing but their very

diminitive size, and the extreme simplicity of the interests, as well as of the manners of the inhabitants, could enable their political organisation to resist, for any length of time, the yearly touch of 3 or 4000 rude hands, necessarily under the guidance of a few demagogues*. Anarchy and despotism would any where else have been the early termination of such institutions. As an instance of the singular turn affairs took sometimes with these simple people, it is enough to say, that Schwytz made, about fifty years ago, a formal declaration of war against France, where possibly it never was known.

In order to convey a more precise idea of a Swiss democracy in its purest form, we shall here introduce an account of the Grisons, formerly allies, and now members of the Helvetic confederacy, where the extreme subdivision of the sovereignty allows to each individual the most direct and greatest possible share in the government. The moral, not less than the political results of such a constitution are worthy of consideration, and we have drawn our information principally from the work

* "They follow willingly the advice of gentlemen," Stanyan says; "but in case of ill success attending it, they are apt to resent it."

of an intelligent Swiss writer, long resident in the country*.

The Grisons occupy that very elevated region whence the Inn, the Adda, and the Rhine, draw their first waters. It was the high Rhetia of the Romans, who established their power there at the commencement of the Christian æra, and were successively followed by other conquering invaders, the Ostrogoths, the Franks, and the Germans. High ridges of mountains divide the country into deep valleys, the inhabitants of which are scarcely less separated by the varieties of language, custom, and prejudice, than by these insuperable bulwarks. Rooted to the spot of their nativity, they marry where they were born, and strangers never settle amongst them. By a singular concurrence of circumstances, they are supposed to have brought with them, two thousand years ago, the original language of ancient Rome, and to have preserved it among them in the two dialects now spoken—the Romand, or Romaunsch, in the upper valleys, and the Ladin, which is more musical and polished, in the Engadine. In the lower valleys, Italian is at present spoken, but it is probable that the German language will, at no

* Mr. Zschokke.

distant period, supersede all the others*. During the anarchy of the middle ages, a multitude of military chiefs reared, in the lateral valleys of the Rheinthal, those towers and castles of which nameless ruins still adorn the awful landscape. Driven to resistance by the oppression of these petty tyrants, the people formed local associations for mutual defence, principally known under three denominations, the league *caddée*, the league of the ten droitures, and the grey league, from the prevailing tinge of their mountains, whence the name of Grisons, by which the whole country has since been distinguished. Thus embodied, they united with the Swiss against the princes of Austria, and the German nobles of Swabia and the Tyrol were engaged in eight sanguinary battles during the first six months of their warfare, and although frequently beaten, came out of the long and arduous struggle

1400 to 1436.

* Livy informs us, that during the inroads of the Gauls in Italy, five centuries before our æra, great emigrations took place from Tuscany, into the fastnesses and deserts of the Alps. There exists a tradition, that the principal leader of this colony was called Rhetus, whence the name of Rhetia, and that their language was the Romand, or Romaunsch. The emigration to the Engadine is supposed to have taken place later, when Hannibal invaded Italy.

with the same success that had previously attended their allies. Their independence once secured, they returned to their respective valleys, where each small knot of families formed an insulated commonwealth, having its own jurisdiction and government, under a president called Curig. Of these primary commonwealths, several united formed a schnize (quater, or slice) under an ammann and council. The ammann presided over the landsgemeinde (land-meeting), in which the citizens exercised their sovereignty from the age of sixteen, or even fourteen, and represented his schnize in the general assembly of the leagues. In case of any difference between two schnizes, a third was called upon to decide, with an appeal to the high jurisdiction (hochgericht), which was composed of a greater number of schnizes, directed by a landamman podesta or landvogt, a third form of republic, completely independent; then came at last the diet of the three leagues, or representative assembly, Bundestag, composed of deputies of the hochgerichts and of the schnizes. There were twenty-six hochgerichts, and forty-nine schnizes, but the number of smaller independent communities is unknown to us. Each of these fractional republics remained perfectly independent in all things which did not relate to peace or war, fo-

reign alliances, or constitutional questions. Each had its own judges, from whose decisions an appeal lay to the high jurisdiction. All public functionaries were liable, once a year, to dismission, by a vote of the people (grabeau), nor could any money be raised but by consent of the people. Liberty, or at least the principle of self-government, could not be carried farther; but this system of perfect equality was soon disturbed by the preponderance of particular families. Amid the endless intrigues, jealousies, and dissensions, which divided the country under various pretences, religious or political, the two great houses of Salis and Planta gradually became pre-eminent; and the Salis at length prevailing, after a long struggle, over their only rivals, ruled alone, with an influence indirectly absolute. Three subject provinces beyond the Alps, Valtelina, Chiavenna, and Boromeo, became the prey of this sovereign family and sovereign people. The office of governor, or bailiff, of these districts being always sold to the highest bidder, and the profits accruing to each of the forty-nine schnizes in turn; it often happened that more was paid for the office than the whole revenue to the state, and the incumbent indemnified himself by selling justice. At times, a number of individuals united their interests, and agreed to

hold the office one after the other, in which case the prior bailiff was bound in honour to spare his successor a reasonable number of lawsuits, expressly protracted for his advantage; the amount of costs often surpassing one hundred, and even one thousand fold, the value of the object in dispute! The syndics, magistrates specially appointed to hear the complaints of the subjects against the bailiffs, and afford redress, were often themselves partners in these guilty practices, and justice was not to be expected any where. The family of Salis had their full share of administrative plunder: a lease of the tolls, being the principal source of public revenue, had passed into their hands about the beginning of the last century, as an indemnification for losses incurred in foreign embassies and otherwise, and the cent paid by them was so inadequate to the real proceeds, that many attempts had been made to bring them to an account, but always in vain, even when their competitors outbid them four times over. All the regiments in the service of Austria, Genoa, France, and Holland, as well as various companies in Spain and Sardinia, belonged to them, or to those families by whom they were supported. The chargé d'affaires in France was usually a Salis: many other individuals of the name enjoyed pensions

from foreign princes, and the family had their own archives, and their own treasury. Such a system of government might assuredly have been expected any where rather than in the Alps, and among the subjects of a pure democracy; so different often are things in practice from what they are in theory.

We will now state a few facts concerning the rural economy and state of manners. The pastures on the south side of the mountains are generally let out to Italian shepherds from Bergamo and the Milanese, who bring their numerous flocks thither in summer, and who, as well as the native shepherds, alone with their dogs, lead a hard and solitary life, which however monotonous, becomes agreeable to them from habit. Their character, although rude in the highest degree, is deemed honest and true. The higher region of the mountains is visited only by chamois-hunters, generally Tyrolese, who are often fugitive and proscribed criminals, and find impunity in the indolence of the natives, and in the superstitious belief, which represents them as invulnerable, and even in a league with the devil. At the approach of winter, shepherds as well as hunters abandon the heights, where the marmot alone remains; and, like that

animal, the men shut themselves up in their houses, the roofs of which are secured against the wind by heavy stones laid upon them. An enormous stove, built with stones, fills half the house, and the family live round and over it; the stable is generally under the same roof; and the cellar, dug but a few feet under ground (the winter-snows burying it otherwise sufficiently deep), contains the stock of cheese, milk, and butter, which form their principal food. Each family manufactures its own clothing; the same hands spin, and dye, weave, cut, and sew, being tributary to foreign countries only for a little gold and silver lace, in which their women indulge. The latter wear their hair in tresses, collected on the crown of their head, and fastened with a long broach in the form of a spoon, like the Suevi and Sicambri mentioned by Tacitus. Neither men nor women can be deemed handsome; they have heavy shoulders, and large muscles and chest, with sharp features and a bronze skin. A confident gait marks their consciousness of strength; and the women are rather distinguished by an air of more audacity, and by their activity in domestic concerns; whilst in winter, the men give themselves up to indolence of body and mind, which

is expressed in the leaden fixedness of their looks, and in the tardiness of their answers to the simplest questions.

The vivacity, activity, and intelligence remarkable in the people of the high Engadine, as well as in those of the valleys of the *Locle* and the *Chaux-de-fonds* in the Jura, show that these defects of the Grisons are not owing to the climate or mountainous situation, but to their solitary habits precluding all interchange of thought, and to the monotony and listlessness of a shepherd life.

Many years of such a life are required to combine a very few ideas; thence the respect for old age observable among them. The class of proprietors entertain a great prejudice against trade and the mechanic arts, and indeed against any sedentary occupation, as mean, servile, and contrary to liberty. They had besides, before the revolution, acquired the habit of depending for advancement in life on places, military commissions, and public appointments in the subject districts. Bodily strength, and the qualities essential to a good fighter, were held in much estimation: those who could boast of them generally wearing a large pebble mounted in a heavy ring, for the purpose of breaking heads with a

blow of the fist: they were also distinguished by a cock's feather in their hat; and revenge for every imagined injury was a duty religiously fulfilled. The ignorance and simplicity of childhood were thus joined with the ungovernable and vicious propensities of a maturer age, unchecked by any cultivation of mind, or by any qualities that in the least resembled the shepherds of Gesner and Theocritus. The introduction of some branches of industry, less solitary and more active than the attendance on sheep and cows, and requiring some exercise of intelligence, could alone raise such a people to the level of other inhabitants of the mountains, such as those of the Engadine, their neighbours, and so recently their subjects; and of whom there were lately, at least, a thousand pursuing various trades in the state of Venice alone. All Europe indeed is supplied from the Engadine with pastry-cooks, confectioners, and venders of images, who, under the name of Grisons, are every where to be seen, carrying on a board upon their heads those little plaster coloured figures, which ornament the rooms of the lower classes of people. These industrious, and generally successful adventurers, always return to enrich their own country with the fruits of their labours: hence, no part of the

Alps is to be compared with the Engadine in point of comfort: their villages have the appearance of towns; good roads and bridges render the worst part of the country accessible; fields and gardens in high cultivation, and neat houses, demonstrate the ample means of the proprietors. Gentler manners, and minds more improved, complete the contrast between them and the Grisons, whom, it is sufficiently curious to remark, they have always supplied with clergymen and schoolmasters.

The Tyrolese, who occupy the same chain of mountains towards the north-east, resemble the people of the Engadine. Although neither their soil nor climate are favourable to agriculture, gardens and cultivated fields are seen on perilous declivities, inaccessible to cattle and the plough, and where manure, and often the soil itself, are carried up by hand. Their domestic manufactures are numerous and varied, and their obscure but honest industry, like that of their neighbours, lays Europe under contribution. Now, when we consider that both they and the people of the Engadine lived under an absolute government, the former being subjects of Austria, the latter of those very Grisons so much their inferiors, we are led to conclude, that absolute power is still more

pernicious in its consequences to those who exert, than to those against whom it is exerted.

Although the Rhine, at times overflowing the most fertile valleys of the Grisons, encumbers their fields with sand and stones; yet the industry of their neighbours would soon have removed such difficulties; whilst so great is the mismanagement of the present inhabitants, that even fuel is becoming scarce, owing to the dilapidation of the forests; and the people, in many places, are reduced to the necessity of burning dry cow-dung.

The frequent remonstrances of the Valteline and Chiavenna, respecting their numerous grievances, had always been in vain; and they had just experienced a fresh denial of justice, when the French revolution burst forth, exciting all their feelings in its favour, whilst the Salis party as naturally declared against it. Hitherto, from a spirit of opposition to France, by whom the Salis party had been from time immemorial supported, the Austrian court had countenanced the discontented provinces; but now a change took place, and the Salis party applying themselves, not without every prospect of success, to supplant their opponents, and to ingratiate themselves with Austria, actually abetted the seizure of Lemonville, the French envoy to Venice, who, passing through

the Grisons, was purposely misled into the Milanese territory, and made prisoner. The Salis took care that their secret agency in this somewhat treacherous affair should not remain unknown, whilst the complaints of the other party marked their growing attachment for republican France. The progress of the new opinions was further marked by an extraordinary assembly of the people, in which various reforms were proposed, some individuals banished, foreign orders prohibited, and titles of nobility abolished. A scarcity of grain, in 1794, threatened the Salis party with popular discontents, but they found means to weather the storm.

At length, Buonaparte being victorious in Italy, the provinces of Valteline, Chiavenna, and Bormeo imagined that the time was come for obtaining their independence, and Buonaparte at first offered his mediation; but whilst the patriots among their sovereigns of the Grisons were urging, and the Salis party opposing its acceptance, he decided their fate by incorporating them with his Cisalpine republic. Nor did the French rulers stop here; their next idea was to unite the Grisons themselves with the republic of Switzerland; a proposition which at first rallied all parties against them, but of which the Austrians taking advan-

tage to occupy the country, and the anti-Gallican party to persecute the patriots; they, in their turn, were treated by the French as a conquered country; sixty-one individuals being sent prisoners to France, not to be released till the Helvetic constitution was accepted. A provisional government, or rather, as in Switzerland, a systematic organization of plunder, had been established by the French; but the exactions of one of their commissaries at Dissentis occasioned an insurrection, in which he and about one hundred of his countrymen were killed, and the whole French force driven back twelve leagues to Coire, by the peasants, armed with such weapons as they could find. The Austrians re-entered the country in May, seized seventy-eight citizens, and sent them to Inspruck as hostages for those detained in France; but before the end of the year, the French were again completely masters, and the Grisons had to submit to the Helvetic constitution, and to all the other constitutions which they chose to establish in succession.

At the general peace in 1814, the Grisons put in their claim to their ancient provinces of Valtiline, Boromeo, and Chiavenna, which were, however, given to Austria by the powers in congress at Vienna. This measure might be morally justi-

fied by the refusal of the Grisons to admit their former subjects to an equal participation of political rights; yet, as that congress professed to secure the neutrality of Switzerland upon the most solid and permanent basis, it seems obvious that these avenues to the Splugen and other Alpine passes should have been restored to her keeping.

CHAPTER XXXVII.

Constitution of Berne—Union of the Cantons weakened by the Difference of Religion.

Among the Swiss aristocracies, Berne stands pre-eminent, affording the purest model of that species of government since the days of the Roman republic. Many of the founders of the commonwealth were, as has been already shown, nobles* of the vicinity; seeking by their union the protection of numbers against other nobles, principally the counts of Kibourg, more powerful than

* There are only six families remaining of these burghers of noble origin; the d'Erlachs, who alone were among the early founders, de Diesbachs, de Mulinens, de Watteville, de Bonstettens and de Louternaus. Some other families are allowed to be very ancient, such as the Hallwyls, whose origin is such, that they might have disdained to be ranked with any at Berne; their family seat is in the Argovie, and it is remarkable, that they took part in the revolution on the popular side. In the families above-mentioned, six have the privilege of sitting in the council by the side of the chiefs of the republic, and have precedence before all other members, which is the extent of their advantages.

themselves, and choosing the humble station of burghers of a town for the sake of personal independence. Any freeman, however, any man who could not be proved within a year to be a serf, was received a burgher as readily as any baron, provided he appeared able and willing to wield a sword, and could provide a house for himself. The great mixture of noble blood among the early population of Berne, and the chivalrous habits of many of its inhabitants, impressed upon the coarser valour of the rest a certain elevation and dignity which became the national characteristic, and can be traced through the five or six centuries of existence of the commonwealth. It is not an easy matter to determine what the original constitution of Berne might exactly have been; a rude association, no doubt, in which the strongest and the ablest ruled: equal rights among unequal men are not those of nature. The people, or rather the heads of families, elected yearly their magistrates, an avoyer, and four bannerets, military chiefs, rarely from among the nobles, of the four trades of the town* who chose sixteen assistants or counsellors; and their legal decisions were liable to an appeal to the Aulic council of the

* The bakers, smiths, tanners, and butchers.

empire. Early documents still extant were made out in the name of the avoyer, the councils, and *all the citizens of Berne:* such expressions as *commune consilium, universis civibus, universi burgensis,* occur frequently in them. We may safely conclude, that the mode of government was for several centuries democratical*. The freedom of election did not, however, prevent the choice from falling generally on the nobles, and the more considerable citizens: the same names recur frequently in the magistracy. It does not appear that the people attached much importance to legislative rights and legislative functions, for it was found necessary to lay a fine on those who declined serving in a public capacity; and the general assemblies falling into disuse, a council, denominated *the sovereign council, the grand council,* or the *two hundred,* was instituted; it is mentioned

* The town of Berne, says Muller, was distinguished in the fifteenth century by the general feeling of confidence which the people had in their magistrates, and the consciousness in every individual that he might aspire to any office in the state; a circumstance so decisive, that the feelings of magnanimity and pride still observable in the Turkish nation, notwithstanding the vices of its institutions, may be traced to the opportunity which they afford to men of the most obscure ranks of rising to the highest dignities.

in a public document as early as the year 1294*. The members, at one time more than three hundred, were chosen by the bannerets, and the *sixteen* from among the generality of the burghers; but in time their choice fell always upon certain families, the number of which varied a good deal; and this concentration appears to have taken place at the Reformation, when church lands passing into the hands of the government, public employments, or at least places of bailiffs, became valuable. During the heroic period of Switzerland, the fourteenth and fifteenth centuries, the number of burghers was at one time even thirty thousand; but the councils passed a law, in 1619, excluding the country burghers (Ausbürgers) from any share in the government; and in the years 1635, 1643, and 1669, new measures were taken to secure permanently the reigning families (*regiments-fähige bürgers*), as they are called at Berne. In 1684, their names were recorded in chancery; the number of these families was then about one hundred and fifty; but it increased after that period; and in the year 1782, it was fixed perma-

* The constitution of Cologne seems to have been the model of those of the Swiss towns, and Cologne itself imitated those of the towns in Lombardy.

nently at two hundred and thirty-six. The government was then composed (we have seen in the first volume of the work what it is now), of several councils, or rather of one (the sovereign council, or the two hundred), and of branches of that council: 1st, The senate, which is a selection of twenty-five counsellors, presided by the avoyer, to whom the executive and judicial departments belong: 2d, The *secret committee*, composed of a smaller selection of five or six counsellors, presided likewise by the avoyers: and 3d, The sixteen, chosen by lots from among the bailiffs or governors of districts who had served their time; their functions were of less importance. Besides the *secret committee* above-mentioned, there were the *two secret counsellors*, being the two youngest members of the *two hundred;* whose functions were to overlook the conduct of the members of government from the highest to the lowest, and inform against any trespass or abuses. Their functions have been compared to those of the Roman tribunes, while those of the *secret committee* were the reverse, being employed in watching the people. No great degree of activity or conscientious zeal would naturally be expected on the part of this censorship of magistrates against their brethren: yet it is a fact, that the

trust reposed in them by individuals denouncing powerful members of the government, against whom they did not choose to appear, never was betrayed; and that they always brought forward the complaints faithfully, the council generally paying great attention to their communications.

Since the year 1787, whenever patrician families to the number of five had become extinct, they were replaced by three families of the German dominions, and two from the Romand or *Pays de Vaud.* The sovereign council was recruited out of the whole body of burghers apparently, but in fact out of seventy-six families, who stood, by a sort of prescriptive right, at the head among the two hundred and thirty-six families of burghers; and even among these there were only twenty families decidedly paramount, and the fifty-six others formed a sort of opposition, not without utility in the state, as we shall see afterwards.

Vacancies in the council by death or otherwise were not filled until there were more than eighty, which happened every eight or ten years. The election took place on the Monday after Easter, out of a list of all the burghers above twenty-nine years of age submitted to the electors, who were forty-five in number; *viz.* the two avoyers, (first magistrates for life, or, at least, always re-elected,

and alternating every year in their functions), the members of the council of sixteen, the members of the senate, and two more public officers. These electors gave generally to the mass of new governing burghers one or two places in the sovereign council; choosing among the most influential men of the class of professional or even tradesmen, a sort of homage to the old constitution of Berne. The privileged families furnished the remainder; first, however, each of the electors designating a near relation, son, or son-in-law, who never was rejected. In 1796, the sovereign council had twenty-two Steigners, fifteen Wattevilles, fourteen Jenners, twelve Tscharners, eleven Graffenrieds, ten Sinners, nine Fischers, eight Diesbachs, eight Mays, seven Wagners, six Frischings, six d'Erlachs, six Effinguers, six Stettlers, six Thormanns, five Sturlers, five Bonstettens, five Kirchbergs, five Herberts, five Tavels, five Mullinens, and five Manuels, &c. &c. twenty-three families thus bringing in one hundred and eighty-two members of their own names, besides those who might be otherwise connected with them. This election, the sole object of ambition in a small community, of course excited the greatest ferment during the whole preceding winter; every candidate regularly performing his *tournées*

or visits to the electors; the heads of families proposing mutually their friends to each other, and agreeing upon the terms of mutual support. But it was especially from the holy Thursday, (the day on which the *sixteen* were appointed by lot) to the Monday following, that the greatest activity was displayed among the negotiators; and somehow there was not an unmarried young lady in the families of the electors, whatever her personal qualities, who did not all at once become the object of a *grande passion*, and did not actually *go off* before the end of that eventful week. The people at large were mere spectators of this high game played over their heads by their rulers, and to all appearance at their expense. The *magnificent and sovereign lords* selected from their own caste all the public officers in the different departments; they made laws and executed them, they sate on the bench as judges, and pleaded at the bar as advocates; in short, united in their own persons all functions and all powers. In theory, these might well be deemed the elements of a most detestable state of things; in practice, it was a government under which a permanent peace of two centuries, and the strictest economy and fidelity, had made it unnecessary to raise any money from the people, except tithes, which, besides the very moderate salary

of the clergy, supported public schools. Other sources of revenue, such as public lands and forests, the moderate net proceeds of subject districts, and principally the interest on money lent out, actually exceeded the wants of government. The right of taxation was untried, and remained a dead letter. This excess of the revenue over the current expenses placed the government in a predicament of which there is not another example —that of paying the people, instead of being paid by them; it actually laid out every year more money than was raised by taxes.

The chief magistrate of the state (avoyer) received about 400*l.* sterling annually; a senator (being also a chief judge) less than 150*l.* sterling. The members of the sovereign council served without emolument, and attended to their duty in the different departments of state, from eight o'clock in the morning, throughout the year. Their only chance of remuneration was their appointment as *baillis*, with an income averaging at most 600*l.* sterling a year, of which they might save half during the six years of their administration. This, with commissions in foreign service, formed the narrow foundation of patrician fortunes.

It was a government under which the admini-

stration of justice was speedy, and certainly incorruptible, in the highest tribunal at least (the senate), being the court of appeal, to the revision of which the decisions of the provincial judges appointed by the inhabitants were carried. General charges of partiality have been brought forward by the numerous revolutionary writers of our own time, but we have seen very few cases clearly made out. Criminal trials, although not absolutely public, were not secret; the depositions were taken out of court, but witnesses were confronted with the prisoner. The rack remained in the code, but had not been inflicted since the middle of the last century*. It was a government, in short, under which, since its foundation, history records only two instances of popular insurrection from political motives: viz. in the

* The capital condemnations in the canton of Berne during the last 17 years, on a population of 350,000 souls, were as follow:

	MEN.	WOMEN.
Premeditated murders	9	1
Infanticides	1	2
Incendiaries	1	1
Homicides	5	0
Robberies with violence	9	0
	25	4

The crimes were mostly personal violence, and comparatively few robberies.

years 1384 and 1631*, between a defenceless magistracy, commanding a standing force of three hundred regulars, and a warlike people, among whom every man from the age of sixteen was provided with arms, and trained to the use of them. The meanest peasant might at all times find access to the chief magistrate, present his petition, and state his grievances.

With this outline of things before him, it becomes a prudent observer not to admit lightly the accusations of tyranny bestowed in our days upon the oligarchy of Berne. There never was an arbitrary government guilty of fewer acts of oppression; none ever enjoyed to so high a degree the confidence of the people at large. It was

* The insurrection which cost Henri his life, in 1741, was not a popular insurrection, but a struggle between two aristocratic factions. A Bernese peasant of the Emmethal, urged by some of the conspirators to join them, answered bluntly, that he liked masters already fat better than lean ones, who wanted fattening. Henri himself obtained some celebrity by a pun made under very extraordinary circumstances. The executioner, frightened at the idea of performing his office on a member of the sovereign council, missing his neck, wounded him in the shoulder. Henri, turning to him, said in the Bernese *patois* (the merit of a pun evaporates in a translation), "You *execute* as your masters *decree!*" and replacing himself very coolly, waited for a second, a third, or even a fourth blow.

literally a government *de confiance;* in which none of the constitutional precautions against misrule had been taken, nor any check introduced, simply because confidence never was betrayed, and no danger apprehended.

The finances were administered with exemplary regularity and economy, like those of a well-ordered family. A committee of finance received the yearly account of the collectors, and made out an aggregate statement, submitted to the sovereign council, where any member might make objections, and institute inquiries. There were very few instances of peculation, exactions, or breach of trust, on the part of inferior agents; none ever on the part of any member of the government. We have on this point the honourable testimony of a determined, active, and open enemy of Berne (Colonel Laharpe), who declared to us, that *Le gouvernement de Berne est le plus integre qui existe.*

In the early times of the republic, when the means of rendering money profitable were unknown, and when a public hoard was deemed a good political measure, the economical statesmen of Berne had been in the habit of locking up in the vaults of their state-house whatever they could spare at the end of each year. The four

bannerets and the treasurer had each a key to different locks; every sum brought in or taken out was carefully recorded, and the document filed, but not entered in an account book. To know the aggregate of the sums deposited in the vaults would, therefore, have required a laborious investigation of all the separate documents; and, in fact, it was not known at Berne until a French army came, and assisted in the reckoning.

The fortunes of patrician families were very moderate; scarcely three reached five or six thousand pounds sterling a year, very few one thousand or fifteen hundred pounds a year. Many Bernese farmers might be found richer than the chiefs of the state, who were themselves farmers of their own estates, and divided their time between the affairs of the public and those of their families. In order to provide against unforeseen accidents, they were in the habit of forming a family purse, often enriched by legacies, and amounting to a few thousand pounds sterling, from two to five generally, laid out at interest, from which any decayed member of the family received assistance. This system was even followed by the government so far as even to discourage industry.

Switzerland is not a fruitful country; the ex-

tent of arable land is very limited, the seasons variable, crops are upon the whole more liable to failures than in most other countries, and in common times it scarcely raises food sufficient for its own consumption. A scarcity of corn, in particular, was often felt, absolutely requiring supplies from foreign countries once in twenty years: a famine might have been the result of restrictions on exportation of grain severely enforced by her neighbours. Under such circumstances, the government of Berne had deemed it necessary to establish public granaries in various parts of the canton; they were administered with great care and integrity, and were often sufficient to assist the other cantons. Their utility and necessity appeared so obvious, that one of the most serious consequences to be apprehended from the revolution of 1798, during which their granaries were dilapidated and neglected at the very period of a failure of crops and prohibition of trade, was an immediate famine; yet the difficulties fell far short of such an extremity. A still worse year recurred soon after (1802) without worse consequences; the evil working its own remedy, without any assistance on the part of government. Yet it is by no means certain, that in a country so peculiarly situated, public granaries are not

very proper, or a duty on importation, operating as a bounty to corn growers.

The government of Berne did not encourage commerce and manufactures, nor, indeed, arts or sciences; and the only branch of industry at all flourishing was husbandry. It was in principles and in practice a patriarchal government, arbitrary, indeed, but kind. It certainly might be deemed behind-hand in some respects; and from the system of a treasure hoarded for four or five centuries, we might judge of its general principles and policy.

The patricians have been accused of a fixed design of keeping down all other classes of society. Rich merchants might easily have outdone them in point of expense; artists or men of letters might have eclipsed the taste and accomplishments of their excellencies: neither danger was to be apprehended from the rich farmer, who, however respectable, was not a gentleman.

In point of fact, there was no middle class at Berne: they were all *magnifiques et souverains seigneurs*, or substantial peasants; and this, in a great degree, may be said of all Switzerland.

Public establishments of education bore no sort of proportion to the rest of their institutions. Country schools were too few, ill paid, and very

inferior to those of Holland, and the protestant part of Germany: the colleges or academies of Berne and Lausanne, founded at the time of the reformation for the education of clergymen, were properly seminaries of scholastic theology.

The condition of the subjects of Berne was scarcely different from that of the Bernese themselves of the plebeian class; and those of the *Pays de Vaud*, among whom the revolution began, enjoyed privileges denied to the others. The advocates of emancipation in the *Pays de Vaud* set forth, that under the Duke of Savoy, that province had assemblies, or *States-general*, the safeguard of the constitution and liberties of the people, which never were called together under the government of Berne.

Without entering at all on the defence made to this charge by the Bernese, it is enough to say, that the right of nations to civil liberty, and to the institutions, necessary for its maintenance, rests upon a broader base than mere precedents, which we do not mean, however, to undervalue. The adherence to forms and established customs and precedents is useful alike to the cause of liberty and to that of power, checking rash innovations on one hand, and arbitrary encroachments on the other: yet as ancient customs and prece-

dents had their beginning, so must new ones be suffered to have theirs, when called for by public opinion, long and generally established. The real question was not so much to know whether the *Pays de Vaud* had States-general in the fifteenth century, and lost them in the sixteenth—they were such as would not have been deemed worth having in our days—as to ascertain whether, after three centuries of an administration mild and beneficent, but absolute, public opinion did not really demand some concessions to the subjects in the way of self-government; and we are inclined to think that it did.

"They lay (Berne) scarce any taxes upon their subjects, who are certainly the most free and easy of any of the world," said Stanyan, so long ago as the year 1714*. "But for what I can observe," he adds, "the subjects think no mildness in the government can make them amends for the hardships of being excluded from their share of it."

Gibbon's essay on the government of Berne, written in his youth, when residing in the *Pays de Vaud*, is another evidence in the case, showing, by the very exaggeration of its tone, what public opinion was nearly half a century before the re-

* Stanian was a British minister in Switzerland in the beginning of the last century.

volution. Theoretical oppression, if not an injustice, is at any rate a fault next in enormity to material oppression: it is to the full as important that the people should think they are well used, as that they really be so—*Non de pane solo vivit homo*, says the organ of Divine wisdom itself. When the state of civilisation is so far advanced that moral enjoyment becomes one of the necessaries of life, and the humiliation attached, not to legal restraints, but to legal exclusion, hereditary and irrevocable, weighs upon men with more force than physical evil, no civil institutions are safe which overlook this disposition, and wound this feeling. The foundations of society, undermined by degrees, may still show a fair face above-ground; but the least shake will pull down the hollow structure. Obedience, in the most favourable hypotheses, becomes mere resignation; it is only lent provisionally, and, without an appearance of rebellion, the peace of society hangs on a thread. It is not material interests, nor a rivality of power necessarily confined to a few individuals, which excite the most general discontents, or kindle the most deadly hatred, but the violation of favourite doctrines and principles; and the feeling may operate on a whole people at once with a degree of force amounting

to fanaticism. Mere vulgar ambition may be checked or bribed, but there is no possible compromise with martyrs; nor is it necessary the object should be very important to create this enthusiastic devotedness*. However interested and selfish men in general may be, this disposition cannot be trusted implicitly. The school of Buonaparte in France believes in no principles among men, and some of the disciples of that school boast of it openly: yet their master was himself the dupe of this exaggeration; and while relying on his usual agents, fear and interest, it was popular enthusiasm and principles which dethroned him. Civil liberty is the end of political institutions; yet does the attainment of that end excite less enthusiasm than the attainment of the means, as the miser sacrifices all his life present enjoyment to the abstract and indefinite power of enjoying in future.

* For instance, their excellencies of Berne had the privilege of shooting snipes (*grives*) in the vineyards of their subjects of the *Pays de Vaud*, whilst the proprietors themselves were excluded from the sport without special permission. It could scarcely be imagined how many of the latter were converted to revolutionary principles from the feeling nourished by this apparently trifling grievance, although they had much to apprehend from a revolution.

Much has been said of the large sums drawn away from the Pays de Vaud by Berne; the complaint is as old as Gibbon's time (1756), and probably much older; the fact was, that the government collected in money and produce, arising from the old church tithes, which had not ceased to be collected at the Reformation, from salt-works, and from the tax on transfers of real property (lands and rents), nearly one million and a half of livres Swiss money, of which six hundred thousand (24,000*l.* sterling) went to Berne, viz. about 400,000 net revenue to the government, and about 200,000 in the shape of annual savings made by the baillies and other officers of government, all Bernese men; the rest, say about nine hundred thousand livres, was spent in the country. Some party writers carry their estimation of the net revenue of the Pays de Vaud much higher.

The enemies of the Bernese government give as a proof of its inherent defects, the superior industry, wealth, and mental cultivation of the people of Neufchatel, although evidently a part of the Pays de Vaud, detached by accidental circumstances, and placed under the dominion of a foreign prince (the King of Prussia), who, without doing much for his diminutive and far-distant principality, had not at least *prevented* the inhabit-

ants from doing for themselves, or checked the natural tendency to improvement. They produce Geneva as a still stronger instance of superiority in a people of similar origin, and living almost under the same roof. We imagine the friends of Berne must plead guilty here, and admit there was really something of a torpid nature in the Bernese institutions; a certain want of proper excitements. Their subjects were in truth so well off, and felt so comfortable, that they were apt to go to sleep.

We have heard well-informed Bernese ascribe the most salutary influence to the sudden admission of about eighty new members into the sovereign council every eight or ten years. These new members were generally in the flower of their age, and eager to signalize themselves by the correction of abuses, which their long exclusion from a share in the government * had accustomed them to investigate with no partial eye. Many improvements in the laws and administration took their date, it is said, from these elections, which kept up a due degree of zeal and emulation among the counsellors of state.

* The age required is twenty-nine years, and the opportunities for election occur, as we have seen, only once in eight or ten years.

The gradual recruiting of a few new members every year would not have answered the same purpose; their activity being lost in the impracticable mass of the old ones. In a homogeneous aristocracy like this, or in a government like that of Great Britain, with a considerable mixture of aristocracy, the means of popular generation are very valuable; the suddenness and strength of their action need not be feared in the latter country, where the government possesses abundant means of self-preservation, and the renewal *en masse* of the national councils is very proper there: at Berne, from other considerations, the renewal in large portions at one time is quite sufficient. Of all governments, that in which the sovereignty resides in a limited number of individuals is the most difficult to be maintained: their power is deficient in that unity, promptness, and energy which appertain to a monarchy, and has none of the weight and popularity of democracies; at the same time it is apt to excite more jealousy than either of the two other forms of government. A learned Bernese (W. Stapfer) observes, that the separation between the reigning caste and the subject caste is fatal to both: the one is sure of being admitted to all public employments, and the other sure of being excluded; and the result is para-

lysing equally to the faculties of all. The magistrates, however, conscious of the humiliation they inflict, endeavour not to increase it by any invidious display of magnificence and power, and affect generally plainness and simplicity; they try to *effacer* their hereditary prerogatives. "L'Esprit de moderation," says Montesquieu, "est ce qu'on appele vertu dans l'aristocratie." When placed between the king and the people in a mixed monarchy, the men of high birth, rank, and fortune, composing this constitutional aristocracy, will be jealous of the splendor of the crown, and inclined to oppose the excessive concentration of power. Having much to lose by a subversion of the established order of society, they will be on their guard against any attempt on the part of the multitude to subvert it, and thus hold the scales even between extremes. A happy concurrence of circumstances produced this rare combination in England; imperfect at first; dark and rude as the age in which it originated. In Switzerland, a sort of patriarchal government was the result of other circumstances. Patriarchs like to be obeyed by their children; but they take good care of them, and no one can say that those of Berne, for instance, are not admirably well fed, clothed, and lodged. These are solid benefits, not to be slightly

abandoned for the sake of an experiment; yet some modifications were undoubtedly called for, some concessions had become necessary to the aspiring spirit of modern times.

It a curious fact, that the mass of written documents by which the early history of the French or *Romand* part of Switzerland is elucidated or obscured, may perhaps be one hundred times greater than that found in the German part of the country; which seems to indicate an earlier state of civilization, or a difference of manners, and perhaps both; justice in the *Romand* country being administered principally on written documents, in the German part principally on oral evidence.

This difference is still observable in modern times between southern and northern nations of the Roman and Teutonic origin; it pervades the counting-house and the cabinet, affairs of state, law, and commerce *.

We have seen what the respective constitutions of the Swiss republics were; loosely connected by a federal compact (the Eidgenossenchaft, or sworn

* It is a singular fact, that the letter-book of a French merchant is filled in one quarter of the time that an English merchant requires, although the comparative extent of their transactions should be in the inverse ratio.

association), which had for its object originally the mutual protection of their municipal franchises only, against the encroachments of the Dukes of Austria; for they did not aim at absolute independence at first. In process of time it became a permanent alliance, offensive and defensive; and the diet, composed of deputies from all the cantons, met annually to concert joint measures, without interfering with the internal concerns of the cantons, except in cases of popular insurrection, or of disputes between some of the cantons, of which the diet were constituted judges, and their decision carried into effect by the confederates. The cantons were precluded from contracting individually any foreign alliance without the consent of the diet; but retained their liberty entire in any thing which did not directly concern the safety of the confederation. They might even forbid importation or exportation to and from one another; but could not refuse free passage through their respective territories, nor give shelter and protection to condemned criminals.

The Reformation occasioned many violations of the federal compact, and impaired materially the union of the cantons.

At last, the diet met only for the transaction of business relating to the administration of subject-

provinces (bailliewicks), held jointly for the settlement of accounts between the cantons. The diet never ventured on any undertaking of public utility, amelioration, or reform, during more than three hundred years; there is not a useful law or a great public work which can be ascribed to them. The general confederation was always loose and incomplete, even for its essential object, mutual defence and foreign relations. The Helvetic body was the very reverse of one and indivisible; and the Swiss themselves, the inhabitants of a very small country, were always as much strangers to one another as those of a great empire might have been.

CHAPTER XXXVIII.

French Revolution—M. de la Harpe, Preceptor of Alexander—Invasion of Switzerland—Systematic Plunder—Taking of Geneva.

Such was Switzerland when the French revolution burst out, and none of the various descriptions of people forming its population, either subjects or sovereigns, appeared disposed to imitate their neighbours. Swiss liberty was at first a theme of high praise and admiration among the French republicans themselves, by whom, however, little more was known of Switzerland than the story of William Tell. This favourable disposition did not last. As early as the year 1790, the Swiss troops in France (eleven regiments), remaining uninfected by the spirit of insubordination which pervaded the army at that time, became an object of jealousy and dislike. Some Swiss soldiers, of the regiment of Chateau-vieux, sent to the galleys by a sentence of their own countrymen for having been guilty of seditious practices, and having plundered the military chest, were liberated by the new authorities, admitted at the bar of the national assembly, and there received the honours

of the sitting as illustrious victims of tyranny. The Swiss regiment of Ernest was disarmed at Aix, insulted and plundered; and at last came the too well known catastrophe of the 10th of August, 1792. The Swiss on guard at the Tuilleries, assailed and overpowered by a frantic multitude, were savagely put to death; upwards of seven hundred dead bodies of officers and soldiers, stripped naked, lay exposed about the gardens and in the streets, abandoned for two successive days to the derision and insults of the populace! Some more of the soldiers thrown into prison were soon after involved in the massacre of September. A small number escaped to their own country, where a multitude of families mourned the loss of near relatives; and all the other Swiss regiments in France returned home without their pay. In the fifteenth or sixteenth century the whole nation would have risen in arms for half these provocations; but times were greatly changed, and a declaration of neutrality was all the enemies of France could obtain of Switzerland.

The Pays de Vaud was from its language, proximity to France, and state of subjection to Berne, a fair field for the zeal of revolutionary missionaries. The anniversary of the taking of the Bastile had been celebrated there two succes-

sive years by a number of patriots. This was noticed at Berne, and resented as an act of incipient rebellion, not with sufficient severity to intimidate, but with quite enough to increase the growing disaffection. Meantime a French army occupied the bishopric of Basle, conveniently situated for their military operations against Austria; and another army invading Savoy, threatened Geneva. General Montesquieu lost the command of it, as we have seen before, and saved his life only by a timely flight, for having presumed to spare the little republic; but an agent of the revolutionary government, called Soulavec, sent from Paris to Geneva, did the work the general had declined; a multitude of citizens were thrown into prison, and, in imitation of France, tribunals of terror were organized. After the death of Robespierre, the Genevese breathed again; their envoy had a public audience, and at one of the theatrical exhibitions in the convention their flag was placed by the side of that of the United States.

In Switzerland the new principles were making a slow but sensible progress, and some reluctant concessions made by the different governments far from stopping it, served only to show the weakness of those who granted them. The abandonment of feudal rights, and emancipation of sub-

jects, together with a more liberal admission of citizens to the magistracy, would, in all probability, have stopped the growing ferment, depriving the rulers of France of all pretence for their meditated invasion, or at all events rendering its success much more doubtful; but, instead of adopting bold and generous measures, the Swiss oligarchs of the democratic cantons, as well as the others, disputed with their subjects, temporized with France, and did nothing effectual to dispel the rising storm.

The government of Berne sent two deputies to Paris, who neglected to make use, in their negotiation with the *directoire*, of the only argument to which they would listen, and rejected the advances of one of their countrymen, then an exile in Paris, who proved afterwards a very dangerous enemy*.

* The history of a private individual, Frederic Cesar la Harpe, who was preceptor of Alexander, and one of the chief promoters of the revolution in Switzerland at the period now under consideration, will probably be deemed sufficiently interesting to find room in a note.

This gentleman, born in 1754, at Rolle, a small town of the Pays de Vaud, of a respectable family, received his first education from a well-informed father, and pursued his studies with great success at the seminary of Heldenstein in the Grisons, and subsequently at Geneva. He early evinced an enthusiastic but rash disposition, a feeling and acute mind; brought up for the profession of the law, he hated its forms. Unfitted as he seemed

Buonaparte's triumphant campaign in Italy in 1797 ended by a peace dictated to Austria at

to be for such a career, his advancement in it had, nevertheless, been satisfactory, and he had reached the highest rank to which he could pretend, that of *avocat à la chambre supreme des appellations Romandes*; for there was between a gentleman subject to Berne and the meanest tradesman, who was a burgher of the sovereign city, an immense distance, which the following apparently slight incident made him feel in such a manner as to disgust him for ever with his situation, and what he deemed the *chef lieu de la tyrannie*. With his usual warmth he had undertaken a cause offensive to the tribunal, and received from one of the judges, with whom he was otherwise in habits of friendship, a rebuke which sunk deep into his heart. "Que signifient ces innovations et ces désordres? nous ne voulons point de cet esprit Genevois dans notre Pays de Vaud. Savez vous bien que vous n'êtes que nos sujets!" The young lawyer indignantly rejecting the qualification of "subjects," an explanation ensued, in which the magistrate, who loved him personally, tried to soothe the irritation he had excited, but La Harpe abandoned his profession and his country. He was at Rome, travelling with a Russian nobleman, when he received, through the Baron de Grimm, an invitation to St. Petersburgh, repaired in 1782 to that capital of the north, and was at first attached to the governor of the young princes as secretary, although with the rank of colonel, which he had held at home. In these circumstances a plan of education for the young princes, drawn up by him, having attracted the attention of the Empress Catherine, mother of their father, she desired to see Colonel La Harpe, and ultimately entrusted to him the execution of his own plan. As preceptor, he conducted himself, during twelve years, with great zeal and in-

Campo Formio. The transient repose which it gave to Europe was fatal to Switzerland; her neutrality,

dependence; severe, and yet beloved by his pupils, by him at least who at present occupies the throne.' Among other anecdotes of this illustrious education, it is reported that the inexorable governor gave more than once what is vulgarly called a *cold pig* to his imperial pupils, to overcome their unwillingness to rise early; and that Catherine, to whom complaints were made on the subject, only laughed at the rigorous expedient. "Oh that I may become an emperor!" said once the exasperated son of Paul to La Harpe; "I will march an army into Switzerland to teach your republicans better manners." "You have heard of the ossuary of Morat," was the reply; "the expedition of your imperial highness will only serve to replenish the wasted stores of that glorious repository with Muscovite instead of Burgundian relics." But La Harpe's warmth of heart more than made up for his severity, and he communicated to his pupils his enthusiasm for science, and above all for civil liberty; they read together, with delight, Plutarch and Tacitus; English history, Locke, Algernon Sidney, Gibbon, Mably, Rousseau, Duclos, &c. The jealousy his successes at the Russian court excited was gradually dissipated by his entire disinterestedness, which aimed at no personal favours or advancement; but neither distance nor change of circumstances had effaced from his memory either the Utopian dreams or heartfelt resentments of his youth. As soon as the French revolution was announced, he saw in it the means of emancipation for the Pays de Vaud, and published many essays, to which may be attributed the first revolutionary symptoms in that country, particularly those of July, 1791.

The government of Berne complained to a Russian minister, then at Coblentz, of the countenance given by his sovereign to

which covered forty leagues of frontiers without the expense of fortresses and garrisons, might suit

an incendiary; the latter, called to account by Catherine, took upon himself to propose, on the part of his oppressed fellow-citizens, a reference to her philosophical majesty herself; soliciting, as the highest favour, that she would condescend to be umpire between them and Berne. Catherine thought the clients of such an advocate could not be in the wrong, and the Swiss patriot was only desired to write no more.

The enemies of M. La Harpe in Russia obliged him at last to give in his resignation in 1793. The empress desired to see him once more, and he found her convinced that the French revolution had consumed itself, and was on the point of yielding to the coalition; but in a conversation which lasted two hours he placed the question in a new and wholly different point of view. Some days after this, the Russian army in Poland, which was to have joined that of the allies, having received counter orders, the coincidence between this change of measures, and the conversation, was remarked, and did not diminish the ill-will borne to him. M. La Harpe left the court of St. Petersburgh very little richer than when he came to it, and returned to Geneva, his own country being interdicted to him. He applied from Geneva for leave to visit his father, then very old, and on his death-bed at Nion, offering to perform the journey, under a guard, at his own expense. The hard and injudicious denial of this request confirmed the hatred of a dangerous enemy, who might have been conciliated. From this time to the invasion of Switzerland he never ceased to excite the subjects of Berne by his writings, in which the grievances were outrageously exaggerated, and to suggest specious pretences for France to meddle with the internal concerns of Switzerland, careless of involving his coun-

the policy of other times; but a system of defence was foreign to the plans of revolutionary France;

try with a power in whose views no confidence could be placed. When the consequence of the invasion became manifest, he bitterly lamented it, and is known to have carried his opposition to the oppressive measures of the French generals and commissaries to such a length, as to urge to the Helvetic directory, of which he was a member, the necessity of an address to the nation, and a proclamation, authorizing individuals to repel oppression, and oppose force to force at all risks. We are inclined to admit, on the testimony of persons well acquainted with M. La Harpe, and at variance with him on many points, that his motives were always pure, and that he was not actuated by private revenge or personal ambition; but really believed in the practicability of certain Utopian schemes, founded on the models of antiquity. Baffled on all sides, he retired to a private station in his native town, declaring that three centuries of servitude had unfitted his countrymen for the blessings of liberty. Paul I. had withdrawn the small pension allowed him by Catherine, after twelve years of unrewarded services. It is now restored, but, as is believed, without any addition.

When an excessive abuse of power roused at last the vanquished nations of Europe, and brought them to the door of the victors, M. La Harpe was seen in the camp of his imperial pupil, enjoying his intimacy without ostentation or personal views, and no doubt contributed to strengthen him in the principles of liberality upon which he acted when the fortune of war, or rather the hand of Providence, made him the arbiter of nations. There seems to be such an immeasurable distance between an autocrat of all the Russias, and a disciple of equality, that the apparent union is in itself sufficiently interesting; it

and her rulers wanted to make Switzerland subservient to their future inroads across the Rhine into Germany, and over the Alps into Italy. The French minister in Switzerland (M. Barthelemy) contributed, without intending it, to the ruin of that country, by the confidence and security which his personal character inspired: he is known to have opposed, as long as he could do it, the meditated invasion; and although Carnot was sensible of the facilities the occupation of Switzerland might offer for penetrating into Austria, he was ashamed of advising it. The directory, however, was superior to such scruples: their expedition to Egypt, then in contemplation, made ready money convenient, and the treasure of Berne was supposed to be immense: no doubt can be entertained

might warrant, besides, hopes of high benefit to mankind if a self-controlled absolute power, like perpetual motion in mechanics, were a thing possible in itself, and at all worth trying. Frederic and Napoleon would have been patriots—no! not patriots, but jacobins—if they had not been absolute monarchs: seated on a constitutional throne, they would have been able rulers. The character of men is in a great degree the result of the circumstances in which they are placed. The pupil of the Swiss philosopher once said of himself to Madame de Staël, that he was *un heureux accident;* but it is not in the nature of accidents to last, and tyranny is forced on an absolute prince as the use of bolts and bars on the keeper of a gaol.

the possession of this treasure was one of the motives, and the most immediate cause of attack. A gentleman of patrician rank at Berne, M. de Bonstetten, had heard his father, formerly treasurer of the republic, say that, from the appearance of the coffers, the sum of money in them might be estimated at ten millions of livres; this estimation has been found since greatly under the truth, but public report had gone even beyond it. This gentleman, being at Milan in 1797, was interrogated by General Buonaparte respecting the amount of the treasure of Berne, and there was something less direct in the questions addressed to him than was usual with that bold and pertinacious inquirer; a circumstance which struck him forcibly at the time, and which he had good reason afterwards to remember. Unwilling to excite unhallowed desires in the conqueror's breast, or to appear as if he feigned ignorance, he answered simply by relating the fact above stated (his father's estimation at ten millions), in order to avoid saying what he thought himself.

The former ambassador of France had been recalled, and a new one, better suited to the purposes of the Directory, sent in his place, Mengaud, a relation of Reubel, who signalized his arrival by wanton insults to the established government, and

secret intrigues with leading demagogues. Great efforts were made to inflame the Pays de Vaud in particular; its peasantry could with great difficulty be persuaded that *Messieurs de Berne* were tyrants; but the task was much easier with the middle and higher ranks of society, whose feelings were often brought into collision with the privileges and the pride of these sovereigns. The French Directory, by a decree of the 28th December, 1797, declared all good patriots claiming their natural rights against the governments of Berne and Fribourg to be under the special protection of the great republic; and several towns were incited to plant the tree of liberty. Berne now saw the danger, but was divided as to the means of averting it. A party in her councils were disposed to believe, notwithstanding the recent fate of Venice and of Geneva, that concessions might conciliate France; another party maintained, that if concessions were to be made, it should be to their subjects, and not to the enemy; a third was for resistance at any hazard, and could not believe the heroic time of Switzerland wholly gone by, and the spirit of their forefathers passed into the ranks of the enemy.

The measure of the renewal of the solemn oath of the confederation, it was conceived, might be

the means of restoring some sort of union and public spirit, and a general diet was called together at Arrau early in 1798 for that express purpose; a poor dependence and vain ceremony! the very presence of the minister, Mengaud, tolerated at the diet, was sufficient evidence that the French armies might penetrate the country with safety. Demonstrations of firmness one day, and of non-resistance the next, to the dictates of revolutionary France, of amity or of hatred to its rulers, according as one party or the other gained the ascendancy, made the approaching dissolution of the government too manifest. The multitude of French emigrants, who, by their short-sighted and partial views of the state of things in their own country, had so much contributed to mislead the members of the Swiss aristocracies, were the first victims of the errors they had occasioned; protected often with imprudent publicity, they were at other times cruelly repulsed. The want of an accredited minister at Paris left the Swiss in ignorance of the true state of things there, while the French, on the contrary, received accurate information of all their proceedings.

Meanwhile the patriots of Basle, Zurich, Schaffhausen, Soleure, and Fribourg proclaimed liberty and equality with more or less success; but, in

general, the magistrates were obliged to give way. This example was of course followed in the subject districts; they all obtained from their respective sovereigns a formal acknowledgment of independence. Amidst this general subversion of the established order of things, and bold substitution of natural for political rights, it is worth observing, that the people of *Gaster*, subjects of Schwytz and Glaris, insisted on reimbursing these cantons for the money they had paid for the purchase of their country three centuries before; and the subjects of the abbot of St. Gall offered him likewise an equitable compensation.

The democratic cantons being apparently safe from the revolutionary torrent, particularly after they had given a ready acquiescence to the emancipation of their subject districts, showed no great zeal in coming to the assistance of the other cantons, whose religion, no less than their political institutions, wealth, and comparative luxury, had long been objects of secret jealousy and dislike.

A Swiss demagogue at Paris (Ochs of Basle) assisted Reubel and Merlin in framing a new constitution for Switzerland, a close imitation of the one which was supposed to make the glory and the happiness of France. The sketch was sent to Mengaud, and profusely distributed by

line in the French, German, and Italian languages, on both sides of the Alps. The general assembly of the Pays de Vaud adopted it at once. General Brune had taken the command of the French forces in the Pays de Vaud, the population of which was yet very far from unanimous, several districts in the Jura, and particularly St. Croix, having shown a decided aversion to the new principles; and the forced loan of seven hundred thousand livres imposed as a preliminary of fraternisation upon a people hitherto unaccustomed to taxation, with the requisition of fifteen thousand daily rations and clothing for the whole division, cooled the zeal of many patriots. Another division of the French army penetrated by the Erguel and Munstenthal.

1798 Jan.

The Bernese government had succeeded in repressing an insurrection organised by Mengaud at Arrau; but its measures of defence, distracted by a double attack, internal as well as external, were necessarily unequal to the emergency. Towards the end of January they called a deputation from all the towns and communes to revise the constitution; and on the 3d of February, 1798, they decreed that a popular representation was to be henceforth the base of the government, and that all the citizens were eligible to places under

that government: but a peaceful adjustment was not what the French minister wanted—anarchy and confusion suited the plan of invasion better; therefore he wrote as follows, "La majesté de la République Français ne se laissera point avilir par des tergiversations, &c. le Directoire demande une démission absolue de la magistrature entière, et du conseil de guerre, et la création immédiate d'un gouvernement démocratique, &c." And in a second official note he used the following expressions: "Une poignée de magistrats avides, sans âmes et sans honneur, vendus aux ennemis de la France." "J'affirme qu'il est faux que la République Française veuille se mêler des affaires de la Suisse." And in the same breath he declared war if the revolution was not made "volontairement et promptement!" General Brune wrote in the same language, and added, "Je marcherai contre Berne jusqu'à ce qu'on y ait accepté la nouvelle constitution Helvétique:" which constitution had been made at Paris, without even the form of consulting those for whom it was intended.

The excess of insolence and injustice of these proceedings excited the highest resentment among all classes of people. General Brune was sensible he had gone too far, and endeavoured to calm the irritation by amicable conferences between com-

missaries sent to Payerne. Meanwhile the minister, Mengaud, continued his secret negotiations with the disaffected, and General Schauenburg approached with the army of the Rhine. Berne had twenty thousand militia under the orders of General d'Erlach, a body of two thousand volunteers of the Pays-de-Vaud, and one hundred and fifty dragoons, their sole cavalry. Those of the other cantons who had not already submitted to the constitution imposed by France sent five thousand men to assist Berne, but with instructions to act only defensively: in short, Berne could only depend on its own diminutive army against the united forces of the enemy, amounting to about forty-five thousand men; yet the French minister, not satisfied with this disproportion, continued his disorganizing practices. At his suggestion Basle offered its mediation; about the acceptance of which a difference of opinion took place, as might be expected, still further distracting the measures of defence, while Brune and Schauenburg were approaching by two different roads. A small majority of the council voted their own abdication, as a preliminary to a new constitution; and this was signified to Brune; but he had another object in view, and required, besides, that the army

should be immediately disbanded and Berne surrendered at discretion.

The party who called themselves patriots seemed to think that the presence of a republican army within their walls would prove highly conducive to a liberal constitution, and many of the timid found this species of patriotism very convenient. Brune's constitution was accepted one day—resistance, at any risk, voted the next: the commander-in-chief, d'Erlach, carried generally about him contrary orders, which succeeded each other so rapidly as scarcely to admit of his knowing which was the last. Hand-bills, distributed by unknown hands among the troops, threw out dark hints against their officers, as being *sold to the enemy;* and the unaccountable changes of measures and delays in coming to action gave weight to such accusations. Many of the men went home in disgust, particularly when they heard of the destruction of villages and scattered dwellings, which made them uneasy about their families. D'Erlach, with eighty of his officers, most of them members of the sovereign council, came the 25th of February in a body to ask permission to lay down their commissions unless they were allowed to lead the troops to the ene-

my. The latter was granted by acclamation; but General Brune, informed by his adherents of what had taken place, immediately sent a flag of truce to notify the receipt of new powers to negotiate; and the opposition, strengthened by the absence of the military members, again suspended their order for acting offensively. Brune and Schauenburg, having effected their junction, put an end to the perplexity by attacking an *avant poste* on the night of the first of March between Buren and Soleure. Seven hundred and fifty militia, surprised by eight thousand men, did not abandon the ground till they had lost their commander and four hundred men. Soleure and Fribourg were attacked and carried at the same time, and the country laid waste. The Swiss militia, furious at being kept inactive spectators of these ravages, rose against their officers, and killed the colonels Stetler and Ryhiner. D'Erlach restored some degree of order, and concentrated his forces at the *têtes de pont* of Neueneck and of Guemine and at Laupen. These positions were forced on the night of the 4th and 5th of March; but the Bernese, led by Graffenried, returned at day-break, and drove back the French several leagues, with the loss of more than two thousand men and eighteen pieces of cannon: they them-

selves left eight hundred dead on the field. A movement of Schauenburg to turn the Bernese brought them back from the pursuit: they made a stand at Fraubrunnen and maintained a sanguinary engagement. Another corps occupied that part of the road to Soleure called Grauboltz (dark wood), and kept that position two hours and a half, mowed down by the flying artillery of the French, to which they had none to oppose, nor any cavalry: dislodged at last, they formed again a second time—a third, and even a fourth time—almost at the gates of Berne. This was the last effort in its defence. The town, incapable of standing a siege, surrendered on a sort of verbal capitulation, General Brune having passed his word that persons and property should be respected. "C'est une chose admirable," wrote Schauenburg in his official report, "que des troupes qui n'ont pas fait la guerre depuis deux siècles aient pu soutenir cinq combats successifs et être à peine chassées d'un poste qu'elles ne tentassent d'enprendre un autre, et de s'y maintenir."

The leaders of the two parties which divided Berne at this disastrous period, were the treasurer Frishing, the eloquent leader of the popular party, and the avoyer Staiger, at the head of the aristo-

cratic party, a Roman senator in courage, in integrity, and in prejudices of caste, with a peculiar simplicity of manner and elevation of mind. He would have commanded a constant majority in the sovereign council, but for the absence of so many members of his party on military duty. Frishing advised remaining on the defensive and negotiating —Staiger wanted to take advantage of the first ardour of the troops, and attack the French before they had effected a junction. On the eve of the memorable 5th of March, Staiger, at the advanced age of seventy-two, and of a feeble constitution, repaired to the line where he hoped to find a glorious termination to his long and honourable career. He was seen exposing himself to the hottest fire during the whole of that day, encouraging the men by his voice and presence. This last avoyer of Berne sat a long while upon the trunk of one of the trees, forming an *abattis* across the road in front of the position, where the enemy poured volleys of grape-shot. A tumbril, which blew up near him, threw him down, but not wounded, and, being assisted by two soldiers, he kept up with the troops, when at last they fell back.

The militia, astonished at the loss of Berne, which they thought impossible without treachery,

vented their rage upon those they supposed had betrayed them. Two adjutant-generals, Crousaz and de Gumoens, fell under their hands; but the most atrocious of the excesses which marked this fatal day, was the murder of D'Erlach himself, their general-in-chief: he was making the best of his way to Oberland, a country inaccessible to the French artillery and cavalry, where ample resources of arms and money had been provided, and where an effectual stand might yet be made, when he was recognised by one of the retreating parties, and killed, with circumstances of savage brutality. His aid-de-camp fell by his side, pierced with seventeen bayonet wounds.

The venerable avoyer, Staiger, who followed the same road, had fallen asleep, exhausted with fatigue, by the road-side, wrapped up in a great coat, and was not noticed*. "We had been shown letters of General d'Erlach to the French," said the deluded wretches, the day after the commission of their crimes, "in which he engaged to betray us!"

* When the bears, usually kept in the fosses of Berne, were sent to Paris (the same probably now in the Jardin des Plantes), as a trophy, the names of Staiger and another magistrate were inscribed on the cages, thus made to traverse Switzerland with the national flag planted over the waggons.

Except a few watches and purses, laid under contribution in the streets on the first entrance of the troops, the citizens of Berne were effectually protected from outrage, and a good discipline maintained in the town; but the surrounding country was for some days abandoned to the licentiousness of the soldiery, and many revolting instances of brutality and violence took place, for which the exasperated inhabitants retaliated when they could. It was observed, with surprise, that the divisions drawn from the army of Italy were more rarely guilty of excesses than those from the army of the Rhine, and in general the men behaved better than the officers.

The treasures of Berne, Zurich, Lucerne, Soleure, and Fribourg, became the first objects of attention, and were placed under sequestration. A public functionary, whose significant name (Commissary *Rapinat*) gave him a reputation perhaps above his comparative merits, was appointed to administer the plunder of Switzerland; but other commissaries, Le Carlier and Rouhiere, preceded him in the office, and all were only subordinate agents. Three millions of French francs were sent to General Buonaparte, for the use of what was called the army of England, but which

was in fact the army of Egypt*; upwards of two millions served to pay the arrears due to the army of Italy, and towards clothing and refitting them; and 800,000 French francs were paid to the general for *secret services*. These were the only sums (about six millions), which appear to have been accounted for; yet the specie actually found in the coffers of Berne, or in the Oberland, amounted, as we have ascertained from the best authorities, to nearly fifteen millions of French francs, besides corn and wine in the public magazines, and 40,000 stand of arms in the arsenal. Such was the rapacity of the conquerors, that the antique armour and weapons, preserved in the arsenal as historical curiosities, were broken up and sold by weight as old iron. The personal contribution of two millions, paid by the patrician families, and the specie found in the treasuries of Zurich, Fribourg, and Soleure, form a large sum, exclusive of the fifteen millions above mentioned. Mallet du Pan estimates the total of the plunder of Switzerland at one hundred and twenty millions

* The specie hoarded in the coffers of Berne, since the time of Charles the Bold, and the Italian wars, is now at the bottom of the Nile, having been on board the French fleet, destroyed at Aboukir, and it is as useful in the one place as the other.

of French francs—a sum, no doubt, greatly exaggerated—and names a number of persons who shared in the booty; but, animated as he obviously is by party spirit, his evidence cannot be implicitly admitted. Even the property of French citizens was not spared; a sum of 250,000 francs, which belonged to the French company of the salt-works of the Jura, being found at Zurich, deposited in the public treasury, was confiscated with the national property by Rapinat, without the possibility of redress. The *chargé d'affaires*, Mengaud, another relation of Reubel, had the letters of English travellers opened at the post offices, and claimed the amount of credits or bills of exchange found in them. The effects of the emigrated French, who had died in Switzerland, were confiscated. The very medical stores, furnished to the French army, (under General Massena), by merchants of Basle, remained unpaid for, and the debt is *now* liquidated by the king's government.

The enormous contribution of sixteen millions had been imposed, not on the cantons, but expressly on the members of the last aristocratic governments and their families, eleven magistrates of Berne, and five of Soleure, being sent away as hostages to the citadel of Strasbourg, 200 miles from their families, several at the advanced age of more than seventy. Part of this contribution was

discharged by bringing in their old plate; but the impossibility of levying the whole sum on a few families, in an exhausted country, led to a compromise (27th April, 1798), between the minister of foreign affairs, and the delegates of Berne, (Messrs. Luthard and Stapfer), by which the contribution was reduced to two millions of francs. Berne was by this treaty allowed to dispose, for its own use, of the large sums this parsimonious government had, in addition to the hoard in specie already mentioned, invested in the funds of England, Denmark, Austria, and almost every sovereign state of Germany. Those in France, to the amount of 2,236,168 francs, were of course lost; those in England, amounting to 500,000*l.* sterling, were fortunately out of reach. The remainder, dispersed in Germany, could not be made easily available. The late government of Berne had conveyed away this property to a gentleman, as well known for his skill in business as for his probity, Mr. Jenner, then their commissary of war. General Brune sent him and his papers suddenly to Paris under guard. There Mr. Jenner succeeded in getting into favour with the minister at the head of the foreign department, and the property in foreign countries was vested in him. The financial part of the treaty he also was the means of carrying into effect. A

very considerable part of the property of Berne was thus saved; but the means which procured the treaty are characteristic of a period when the most shameless corruption had succeeded to the pure fanaticism and thirst of blood of the first years of the revolution.

After this arrangement, the French minister for foreign affairs wrote to his commissary in Switzerland, that "Le directoire avait voulu donner aux cantons Helvetiques *régénerés*, la preuve, qu'il n'a jamais voulu être que leur *liberateur*, et que s'il est inévitable qu'ils payent les fruits d'une guerre qu'ils ont *provoquée*, il n'en sera pas moins empressé d'adoucir pour eux autant que possible le poids de cette contribution, &c. &c. Il m'est préscrit de vous inviter à procurer au citoyen Jenner les facilités qui lui seront utiles dans les opérations interessantes dont il est chargé." The French authorities at Berne finding their further schemes of plunder thus anticipated, would not at first comply to the terms of the treaty, complaining that the "bonne foi du gouvernement avait été surprise;" but the latter had his reasons, and maintained the treaty.

Citizen Rapinat was a country attorney, coarse and vulgar, and a hard drinker. "Moi! Je suis Rapinat," he used to say significantly: "vous en-

tendez!" but this blundering frankness of a ruffian had something in it less offensive than the fair phrases of the French minister. Rapinat was the brother-in-law of Reubel, whose personal rancour against Berne is accounted for in the following manner. There is an old custom at Berne, which subjects a lawyer, who brings a frivolous or vexatious suit before the higher court, and loses it, to imprisonment for twenty-four hours. Reubel, originally an attorney at Besançon, pleading at Berne for some Jews of his town, had been put in mind from the bench that he had incurred the *penalty*; and, although it was not enforced, resentment for this threat rankled nevertheless in his mind, and the sovereign avenged the quarrel of the attorney,

CHAPTER XXXIX.

Constitution unitaire—The democratic Cantons compelled, by the most cruel Treatment, to submit to it—Switzerland the Seat of War for two Years—Campaign of Massena and Suwarrow—Policy of Buonaparte respecting Switzerland.

A DETACHMENT of the French army in Switzerland took Geneva by surprise, the 15th April, 1798, in defiance of positive assurances* recently made, and it was arbitrarily annexed to France. The intrigues, promises, and severities, long tried by the directory, had proved unavailing to obtain of the Genevese the voluntary sacrifice of their independence. They read with equal surprise and indignation in the French papers, soon after it had been thus torn from them, glowing expressions of their own joy and exultation at an event which caused the despair of all parties. Such was the ignorance of the French journalists, or rather such

* "Je vous assure," said the French minister, Adet, to the Genevans, "que la république Française ne fera jamais rien de contraire à votre independance. Cette parole que je vous donne, la république Française la tiendra. Les tyrans seuls ont la prerogative d'être parjures."

was their confidence in the ignorance of their readers, that passages like the following were inserted every day in their papers respecting a protestant country. "The priests of Berne grant *indulgence plenière* for the murder of a Frenchman!" "The Bernese have recourse to *processions*, and carry about an *image of the Virgin*, which they hope will save their town."

The political regeneration of Switzerland went hand in hand with the plunder of its wealth, and the project of a federal republic in three independent parts, under the whimsical appellations of *Rhodanique*, *Helvetique*, and *Tellyan*, sent by General Brune to the French directory, was adopted by them; and eleven days after the reduction of Berne that general published the constitution of one of these republics, the *Rhodanique*. This constitution lasted only seven days; for the same military lawgiver, having acquired, as he said himself, a more *lively sense of the charms of republican unity*, published, on the 25th of the same month, another constitution, called *Unitaire*, embracing all Switzerland, divided into nineteen cantons. The preamble of this constitution states gravely, "That the two bases of public good are individual safety and knowledge, and that *learning is better than house and land*, (the words *les lumières sont*

préférables à l'opulence cannot be conveyed more exactly than by the above homely English aphorism), that the liberty of man is unalienable, and that the law represses all sorts of licentiousness, and encourages to do good! That a citizen owes himself to his country, to his family, and to the unfortunate; cultivates friendship, but without any dereliction of duty; abjures all personal resentment, all *motives* of vanity, his only object being the moral improvement of the human species, his glory the esteem of all good men, and the testimony of his conscience," &c. &c. This philosophical galamatias, denominated *Principes fondimentaux*, was followed by the details of the *constitution unitaire*, presenting a miniature copy of the French constitution with its five executive directors, its two legislative bodies, its two degrees of election, &c.: twenty-two judges elected by the people, twenty-two Swiss cantons instead of thirteen (the Valais was one of them).

A few days before the promulgation of this constitution (the 16th March), the democratic cantons had received a positive assurance from the commander-in-chief, "that the Oligarchs were the only enemies whom the French acknowledged or sought in Switzerland, that the democratic cantons might depend upon the friendship of the

great republic, and that no idea was entertained of any hostilities against them." Their astonishment and terror were therefore very great, when they heard of the arbitrary overthrow of an order of things, under which they had flourished for five hundred years, and which was dearer to them than their lives.

A memorial of these democratic cantons, addressed to the French directory, expressed their feelings in the following manner. "Permit us to inquire whether there is any thing in our institutions at variance with the principles you profess? Is there a government on the earth where the exercise of sovereignty is more exclusively in the hands of the people, political equality more perfect, or where each citizen enjoys a greater share of liberty, &c. &c.? Why should you wish to destroy a state of things under which we have lived happy for centuries? What advantage could you expect from it? We are a nation of shepherds and peasants; we have preserved the simplicity of our ancestors; our inconsiderable revenue could not pay the expense of this new government, the advantages of which not one man in a hundred amongst us understands, &c. &c.: the great nation, whose renown fills the world, could not wish to see a page of its history sullied by the record of

her unprovoked aggressions against a harmless people, who has neither the power nor the intention of doing her an injury." The memorial was suppressed, and the power which was proclaiming every where, *Guerre aux châteaux—paix aux chaumières*—marched an army against the only corner of Europe, where *chaumières* were to be seen, and not a single *château.*

Whilst the French troops, advancing in two columns, were endeavouring to penetrate into the canton of Schwytz by the west and north, nothing was omitted to heighten the patriotic enthusiasm, not to say fanaticism, of the people: two priests, *Marianus Herzog*, curate of Einsielden, and *Paul Styger*, a capuchin, blessed their standards, and promised the joys of heaven to those who should die under their shade: the thunders of the church were hurled against the invaders; patriotic songs kept up the flame. Their whole force, including all who could bear arms, amounted only to four thousand individuals, commanded by Aloys Reding, landshauptman of Schwytz.

Meanwhile the Helvetic directory, assembled at Arrau, addressed the Waldstetten officially on the danger of a longer resistance, hopeless in itself, and originating in mistake, and entreated them to beware of the fanatics who were leading them to

their ruin. The sort of cool pity which marked the tone of this address, dictated by the supporters of the new government, far from recalling the people of Waldstetten to moderation, inflamed their resentment. A proclamation of the French general-in-chief Schauenburg, of the same date, addressed to the inhabitants of the canton who rejected the new Helvetic constitution, affected to denominate them *a small, factious, and impotent minority.*

The French attacked, the next day, 30th April, 1798, on several points. Lucerne, which had submitted to the new constitution, but had been occupied subsequently by the Waldstetten, was now entered by the French; but at Wollrau, near the lake of Zurich, they were driven back some miles with considerable loss. Rallying again at Richstenchwyl, they made a second unsuccessful attack; but the commanding officers of the Swiss, Paravicini and Hauser,* having been dangerously wounded, their troops retreated in disorder, and the French occupied Wollrau and Pfaeffikon

* A French officer, called Freycinet, observing some signs of life in Hauser, called to him, "Courage, comrade, courage!" and received for answer, "It is strength that is wanting, not courage." He had him carried away, and he recovered.

Their attack from the west on Kussnacht and Immensee had been quite unsuccessful, from the destructive fire of the Swiss marksmen. On the north side, Aloys Reding * met them on the same ground where his ancestor, Rodolph Reding, had defeated the Austrians five hundred years before, and the narrow field of Morgarten was thus twice drenched with the blood of patriots and their oppressors. The women of Schwytz were employed, during the whole night of the first of May, in dragging cannon over rocks and precipices, and carrying fascines for intrenchments; many of them worked with young children on their left arm: fires were burning on the tops of all the mountains. During the first and second of May there was incessant firing, both at Morgarten and about Arth; a militia composed of peasants and shepherds made head on this extended line, against repeated attacks of regular troops four times their number, without giving way; broke them several times with the bayonet, and remained masters of the field every where. The loss of the invaders

* Aloys Reding was an accomplished officer, who had retired to his own country with the rank of colonel from the Spanish service, and had been elected *landshauptmann*, or commander-in-chief.

was tenfold their own; but the latter was irreparable: a few such victories, and they were annihilated: many of the men had had no rest for three or four days and nights, and scarcely any food; some of the posts were only guarded by women. They were offered the free exercise of their religion, and to retain their arms, provided they adopted the Helvetic constitution, in which case the army was to leave the country immediately. Many were for fighting on; others, moved at the sight of their wives and children, wished to treat before it came to the worst. The general assembly, held on the fourth, was extremely agitated, and on the point of ending in bloodshed. At last a great majority decided in favour of the terms offered, and peace was signed the fifth. The French loss was 2754 dead, exclusive of wounded; the people of Schwytz 431 men and women.

The new constitution meeting with the same stern opposition in Valais, a division of the French army was sent to enforce its adoption, at the point of the bayonet: the inhabitants fought desperately, and suffered all the calamities of war. Sion, their capital, was taken by assault, and they were compelled to submit: Switzerland was

therefore, united apparently under a federal representative government.

The submission of the four cantons of Schwytz, Uri, Unterwalden, and Zug, to this new constitution, being altogether the result of compulsion, it became the policy of the Helvetic directory to diminish their influence in the legislature; and a law was enacted in July, 1798, joining these four cantons into one, under the name of Waldstetten, and then reducing the number of their representatives in the assembly from forty-eight to twelve. The hopelessness of resistance induced them all to yield to necessity, except the people of Nidwalden, forming the lower section of the canton to Unterwalden.

Three priests, the same capuchin Styger already mentioned, together with the curate of Stantz and his vicar, had worked up the people of that district to frenzy, by persuading them that their religion, as well as their liberty, was in danger. The destruction of the chapel of Einsielden by the French, and the insult offered by taking away and sending to Paris, in wanton sport, a favourite image of the Virgin, gave weight to the accusation. They also preached openly against the little book (the constitution), and loaded it with imprecations. The commissary of the Bishop of Con-

stance, at Lucerne,* and some other ecclesiastics, endeavoured to soothe them; but to no purpose. The new Swiss directory demanded, that those factious priests who deceived the people should be delivered up, and attempted to have them carried off: this persecution rendered them dearer to their simple but determined followers. They took up arms, drove away the constituted authorities of the new government, set both the Swiss and the French directories at defiance, and made all possible preparation for a desperate resistance. Foreign agents are said to have contributed to excite this popular resistance by their intrigues. The British minister, Wickham, at Ausbourg, Colonel Crauford, at Wurzach, and the ex-constituant Dandré, at Uberlingen, are named; and English gold is, of course, supposed to have been at the bottom of all; but gold seems a poor bribe for the sacrifice of life. There is no bargaining with the grave.

General Schauenburg advanced, the 3d of September, 1798, with a division of from twelve to sixteen thousand men, against the small district of Nidwalden, counting about two thousand fighting in-

* M. de Dalberg, coadjutor of Mayence, and later prince primate and Duke of Frankfort.

dividuals of all ages and sexes, and two hundred and eighty volunteers of the neighbouring districts. The landing-places on their lake were defended by *abattis* of trees, stakes driven on the beach, and six field pieces; they had two more pieces to protect the land-side. The French attempted a descent day after day, from the fourth to the eighth of September, under cover of batteries, at the foot of Mount Pilatus, firing across the lake; but were unsuccessful, and lost many men. Early on the ninth, they penetrated by the land-side, and succeeded in clearing the plain with their flying artillery. The Nidwaldians retired to a woody height, half a league from Stantz, where they had two field pieces, and defended the position several hours; but thirty boats, full of French troops, having effected their landing on three different points, while reinforcements poured in by the Oswalden, about noon the engagement became a promiscuous massacre, the people fighting desperately with such weapons as they could procure; and whole families, men, women, and children, were cut down, for no quarter was given on either side. Eighteen young girls, who had fought in the ranks, were found among the dead, near the chapel of Winkelried, and upwards of sixty persons, mostly the old and infirm, who had taken

shelter in the church of Stantz, were put to death, together with the priest at the altar. Several officers of the 14th and 44th demi-brigades exerted themselves, with great zeal and humanity, to rescue such of the people as were found among the ruins; the buildings of Stantz were saved by their interference, but all those about the country (584 in number) were plundered, and set on fire; not a house was left standing. Notwithstanding this state of things, Schauenburg imposed a contribution of 60,000 livres on the country; but it was a desert, and the act appeared besides so odious, that the army itself, when the first fury was over, disclaimed all share in it, and refused even the offer which was made by the Helvetic directory to pay it.

The loss of the French was never made known, but must have been very considerable, probably not less than three thousand men, as their opponents were expert marksmen. If the French had been repulsed that day as the preceding, there was every appearance of the whole country rising the next, and few of them would have escaped. "Nous avons perdu beaucoup de monde," Schauenburg wrote, "par la résistance incroyable de ces gens là. C'est le jour le plus chaud que j'aye jamais vu." All Switzerland sent money and pro-

visions to the unfortunate survivors in Nidwalden, who must otherwise have perished during the ensuing winter; and plentiful subscriptions came from England and Germany. Schauenburg himself is said to have distributed 1200 rations a day for some time after the battle.

Pestalozzi, the same who has since acquired so much celebrity by his method of education, appeared at this period as a tutelary angel among the unfortunate; he collected upwards of eighty children of all ages, whose parents had perished, and who were left entirely destitute; found them a house, provided for their wants, and attended to their education; assisted, however, by the existing government.

The *constitution unitaire* was imposed on Switzerland most tyrannically, but it was not in itself a bad one: it might, at least, with a few alterations, have been successfully adapted to the old institutions of the country, and have made Switzerland a more homogeneous, stronger, and perhaps freer and happier country than it had been; but an alliance offensive and defensive had been imposed on Switzerland at the same time. This *pacte protecteur*, to use the expression of a French writer, with a nation the *admiration and terror of the world*, was to insure its repose and safety here-

after. The most immediate consequence, however, was to divest it of its neutrality, and make it the seat of war. An Austrian army passed the Rhine the 22d May, 1799, and compelled the French to fall back on all points after a sanguinary engagement, renewed during three successive days in the beginning of June. Soon after, a Russian army under Korsakow, came to add to the distresses of the country; and the lake of Zurich saw its rich and beautiful banks overrun by the Cossacks of Mount Ural on the north side, and occupied by the French army on the south. The town of Zurich itself became the head-quarters of the Russians. General Massena observed, from his strong position on Mount Albis, the motions of an enemy superior in number; the latter, knowing that Suwarrow was to pass St. Gothard the 25th September, and attack Massena in the rear, thought he could not escape; but this great general, equally well informed of that circumstance, took the first opportunity of anticipating the projects of the enemy, which their imprudent security enabled him to do with complete success, on the very day fixed for the entrance of Suwarrow into Switzerland. The French army passed the Limmat in two divisions the 25th September, separating the right wing of the Russian army from the main body,

beat the one, and afterwards dispersed the other. No defeat was ever more complete and more unexpected. Massena and his staff sat down to a sumptuous dinner, which had been prepared at the house of Mr. Wickham, the British minister, to celebrate the passage of the Alps by Suwarrow. While one Russian army was retreating in disorder beyond the Rhine, Massena lost no time in opposing the other at the head of the divisions of Soult and Mortier: he met Suwarrow in the narrow defile of the Mouotta-thal; the carnage was terrible, particularly at the bridge over the Mouotto, which gives its name to the defile: the torrent was encumbered for several days with the bodies of the dead of both nations. Suwarrow was on the point of forcing his way; but, obliged at last to abandon the enterprize, he crossed over Mouht Praghel, and reached Glaris by a path somewhat less difficult than that over the Kientzigkoulm, by which he had come from Altorf. I have already given some details of this memorable march of twelve days *, during which an army of twenty-five thousand men went over as much ground as

* From the 24th September, when Suwarrow passed the St. Gothard, to the 5th October, when he arrived at Coire, beyond the reach of present pursuit. The Grand Duke Constantine was with Suwarrow.

a hunter accustomed to Alpine expeditions might have done in the same space of time; fighting a battle almost every day, and without any magazine or established mode of subsistence.

Massena, in possession of Zurich, maintained strict discipline, and the inhabitants suffered less than might have been expected either from the Russians or from the French; the latter, however, committed a crime which excited great horror: the celebrated Lavater was shot in the breast while endeavouring to rescue some of his friends from the insults of French soldiers, during the confusion of the first occupation. He languished upwards of a year under great sufferings, and then died of the wound.

The presence of auxiliaries appeared to the shepherds of the great chain of the Alps, from the Simplon to the St. Gothard, and as far as the valley of the Inn, a fair opportunity of shaking off the yoke imposed upon them: they harassed the French by perpetual insurrections; surprised detachments,—were surprised in their turn,—now assisted by the Austrians,—now overtaken by the French. The Valaisans distinguished themselves particularly; and the whole course of the Rhine, from Martigny to the Simplon, or even the Furca, was during several months an uninterrupted field

of battle, where one-fourth of the population found their grave: the very *cretins*, unconscious of danger, were almost all overtaken by the sword. The resistance of the Valaisans, particularly about the baths of Leuk, was wonderful, and would have been maintained successfully, if the Austrians, by their injudicious interference, had not changed their mode of warfare.

I shall insert here an abstract of the artless narrative given by one of the inhabitants of Val Levantina, of their share in the miseries of war. This valley, forming the southern side of the pass of St. Gothard, is ten leagues in length, and very narrow. More picturesque than fertile, the Upper Levantina affords only steep pastures, hidden the greatest part of the year under ice and snow, and native crystals, which the inhabitants find among its rocks. The Lower Levantina yields some grain, some wine, and a great quantity of chesnuts; but the chief support of an overgrown population of 12,000 souls, is derived from the passage of merchandize through the St. Gothard. For the last three hundred years they had lived in profound peace, with a degree of frugality, industry, and simplicity equal to the ruggedness of the soil.

"Towards the end of October, 1798," says the narrator, "we were visited for the first time by

foreign troops; a division of 8000 French having passed the St. Gothard, already covered with snow, appeared unexpectedly in the Levantina. We had no stock of provisions beyond what was necessary for our own subsistence during the approaching winter, yet were we compelled to feed this multitude for awhile, and permanently a garrison of three or four hundred men stationed at Airolo. Men and women, and all the cattle, were employed, without any salary, in transporting military stores during the whole winter. Early in March following, the passage of the whole army penetrating into the Grisons, brought an increase of fatigue, losses, and dangers; many perished, or were maimed among the precipices.

"The French left us at last, and hearing of their reverses on the Rhine and in Italy, we thought the moment was come for delivering our country. Joining the people of Valais, we pursued them in the canton of Uri, killing many among the rocks of Mayenthal, although ill armed and short of powder, and our loss was trifling. Returning, however, with superior forces, we were repulsed across the St. Gothard, and driven back to our very homes, where many perished at their very doors, in the defence of all they had left. The French commander behaved humanely, publishing

a general amnesty, and appointing guards to protect the inhabitants; yet this fine village (Airolo, at the bottom of St. Gothard,) was sacked, and the inhabitants indiscriminately slaughtered.

"A few days after this, another division, repulsed by the Austrians, passed suddenly from the valley of Missox into ours, and exacted in their flight an exorbitant contribution from people whom they chose to stigmatise as rebels, because they had endeavoured to defend themselves. The French, commanded by Le Courbe, concentrated themselves in our valley, which thus became the theatre of the most desperate warfare; for the imperialists penetrating by the St. Gothard, we found ourselves between the two, and spared by neither. Our few remaining cattle were discovered and carried off from the most remote pastures, and the very goats were shot on the top of inaccessible rocks. Many were the vicissitudes of the summer of 1799, the French and Imperialists gaining upon each other in turn, and fresh plunder, ill treatment, and cruelty following each change. The 24th September brought up Suwarrow, with his legions of Russians and Cossacks, on their march to Altorf and Zurich by the St. Gothard. The whole population fled to the fastnesses of the mountains, living on roots and wild berries. On their return,

they found most of their houses demolished or burnt; and the whole of their winter stock, which they had buried when they fled, discovered and carried away; the very instruments of agriculture were destroyed. Many of the inhabitants abandoned for ever *this land of malediction*, others died of absolute want.

"The indefatigable French soon showed themselves again, but abandoned the valley before winter, establishing their advanced posts on the other side of the St. Gothard, in the valley of Urseren; while the Imperialists pushed as far as Dazio Grande. The month of May, 1800, witnessed the renewal of the same scenes of devastation, pursued with more keenness as our means decreased. It was this summer that the hospice of St. Gothard was destroyed. This invaluable asylum, erected for purposes of pure humanity, at the height of 6400 feet above the level of the sea, as early as the thirteenth century, was first plundered, and its guardians driven away; then the floors, beams, doors, and windows successively torn away by the troops of the different nations who passed it, till at last nothing but the mere walls remained.

"The following year, 1801, a French army of 20,000 men, commanded by General Moncey, appeared in May; the whole remaining inhabitants

were again harnessed to the artillery; they excited the compassion of that general, whose orders saved a part of their provisions. The college of Pollegio, at the lower extremity of the valley, plundered before, and restored, was now completely ruined," &c.

It may not be uninteresting, in a moral point of view, to see what opinion the persons at the head of the French government entertained of the transactions in Switzerland in the secret of their own councils. The document inserted in a note *

* Les malheurs de ce pays interessent la *gloire de la France*, il faut absoudre le *nom Français*, en montrant que la renaissance de notre liberté et prospérité interieure a été l'époque du retour sincère à une diplomatie *équitable et reparatrice*. On connait les élémens hétérogènes de ce corps Helvetique, qui dût peut-être sa longue durée au milieu des guerres de l'Europe, à ce qu'il était asséz divisé pour ne pas se tourmenter lui-même par la conscience de sa force, et inquiéter les autres, et cependant assez uni pour faire un respectable déployement de résistance en cas d'attaques, &c. &c. Quoique l'on ne puisse blâmer trop sévèrement ceux que la destinée a trop puni, on ne peut s'empêcher de reconnaître à toutes les époques de la révolution Française des traces de la haïne plus ou moins habilement dissimulée des regions aristocratiques de la Suisse, et surtout de celles de Berne et de Soleure, &c. &c.

La révolution Helvetique est un des torts les plus graves du premier directorire Français. Quelques brouillons Suisses comme Ochs et La Harpe vinrent à Paris intriguer et animer les mem-

is an abstract, which we have every reason to deem authentic, of the instructions given by that go-

bres les plus irascibles du gouvernement Français, dont l'un se trouvait précisement avoir ce qu'il appelait des injures personelles à venger, l'on sait avec quel scandale beaucoup d'agens Français militaires et civils accrurent pour cet infortuné pays les malheurs nécessaires d'une révolution, avec quelle imprudence on étendit les brigandages jusque sur la médiocrité, et même jusque sur la misère.....ces faits ont retenti dans toute l'Europe, c'est la trace encore sanglante de ces calamités qu'il faut effacer, &c. &c. c'est par le contraste d'une conduite toute opposée que le ministre de la république Française doit ramener les Helvetiens à leurs anciens sentimens pour nous, &c. &c. Il est just de ne pas oublier que quand nous étions encore sur la route de cette gloire militaire, dont nous avons atteint le comble, lors des premiers succès de la première coalition, il nous fut utile de voir toutes les parties foibles de nos frontières couvertes par le rempart de la neutralité Helvetique. Il faut se rappeler que malgré tous nos torts apparens, aucune ville Suisse ne s'est ouverte aux proclamations de l'Archiduc: c'est l'impartialité et l'immobilité de la nation Helvétique qui a trompé les esperances de la coalition, et nous a donné le tems de fixer de nouveau la victoire, &c. Poussé par les circonstances hors des routes ordinaires, quand on est obligé de faire de deux nations deux camps militaires entre lesquils il faut abbatre les barrières, &c. &c., c'est avec le fond même de la propriété des peuples qu'il faut sauver leur avenir; sans doute alors les mots d'independance, de respect pour les traités, les promesses, les garanties, tout est vain, et tout est imperieux comme la guerre et la nécessité. Mais quand on a repris le cours social et les

vernment to their minister in Switzerland, Reinhard, in January, 1800. The situation of the

loix de la paix, tout est simple et facile. Les sermens sont vains dans les époques, où il est impossible d'y rester fidèle— inutiles, lorsqu'il est impossible d'être tenté de les enfreindre, &c. *Depuis trois mois* le gouvernement Français professe solennellement *l'immuable volonté* de respecter toujours les gouvernemens qui existent, et de ne jamais compromettre l'influence Française en la mêlant aux mouvements interieurs d'aucun pays! Cette profession de foi a surtout été faite au gouvernement Helvetique, &c. &c. Le parti qui vient d'être repoussé par l'opinion publique en Suisse était composé des hommes qui avaient voulu *et la révolution et même la guerre et l'alliance offensive;* il est naturel que ceux qui leur succedent et qui en cela consulteront le vœu général, demandent la neutralité. C'était sans doute un privilége heureux que la neutralité Helvetique, il faut rejetter comme un attentat inutile l'idée d'y porter atteinte. Mais l'illusion est détruite; le secret de sa foiblesse, si long tems gardé, est divulgé; les nations belligérantes ont traversé le pays dans tous les sens; il faut des siècles pour refaire ce qui a été détruit en un moment. Quand même le cabinet de Vienne paraitrait consentir à la neutralité de la Suisse, il ne la respecterait pas plus qu'il n'a souvent fait cette neutralité de l'empire si solennellement reconnue et si frequemment violée. Il est facile de prévoir que la Suisse reviendra à des institutions recommendées par des souvenirs de bonheur quoiqu'adaptées aux idées nouvelles.

On vous remettra souvent sous les yeux le tableau trop réel des autorités avilies par l'indigence dans cette même ville de Berne où jadis l'économie amassait des trésors sans impots,

country could not be more accurately, nor better and more feelingly described, than it is in this official document. But it recalls forcibly to our mind a characteristic anecdote of Buonaparte, which

plusieurs cantons des plus heureux de l'ancienne Helvetie sont tellement appauvris, qu'on a vu pour la première fois des enfans, trouvés dans cette patrie des mœurs, et que la seule ville de Soleure a recueilli 600 des ces infortunés. Des villages, comme celui d'Urseren, oubliés sur plusieurs cartes ont nourri 70,000 soldats dans l'espace d'une année (200 hommes par jour). Le Valais si heureux par son aisance et ses troupeaux, est presque un desert, et les religieux hospitaliers de St. Bernard meurent de faim dans ce célèbre asyle de l'humanité intrépide, et secourable ou ils ont dans l'espace de deux ans reçu une armée entière.

Quatre vingt quinze mille Français ne peuvent pas vivre pendant l'hyver dans ce pays épuisé—les habitans y sont parvenus presque partout à ce point où l'on croit rentrer dans les droits de la Nature, quand on défend au peril de sa vie le dernier morceau de pain qui peut la soutenir.

On vous parlera du retour de la neutralité—il faut reculer *cette esperance*; car cette neutralité sera violée de part où d'autre tant que la guerre durera. Il en est de même d'un traité de commerce, il ne saurait être durable, et si les Suisses sacrifient beaucoup pour l'obtenir, ils seront trompés. Il faut se contenter de promettre l'aquittement successif des créances de la république Helvetique, et surtout le respect et l'independance, et qu'on ne se mêlera en rien de l'interieur; c'est ce qu'il faut opposer au souvenir d'une conduite et de tems trop differents, &c.

we received from one of the parties concerned. After dictating to two confidential persons some Machiavelian despatches about Spain, the hero added, by way of smoothing the expression of barefaced injustice and treachery which they conveyed, or perhaps in such a fit of good humour as Cromwell's inking the face of Ireton with a dash of the regicide pen, *Et puis vous finirez par deux lignes de mélancolie!!* Now, this dispatch to Rheinhard coming after the instructions to Brune, Schauenburg, Rapinat, and others, which were indeed anterior to Buonaparte's government, but issued from the same office where the draft was made of the admirable paper here inserted, appears a good deal like the two lines of melancholy.

The constitution unitaire of 1798 had to contend with the stigma of its origin; but the people, upon whom it had been imposed by force, showed more patience under it than the restless legislators themselves: for the Helvetic directory having ventured to oppose the forced loans, and the arbitrary and exorbitant taxes imposed by General Massena, was dismissed without ceremony, the 7th of January, 1801, in imitation, probably, of what is called, in the revolutionary chronology, the 18th Brumaire, and an *executive commission* was substituted, composed of seven members. The legis-

lative branch of the government, senate, and *grand conseil*, underwent the same transformation seven months later, and a *government provisoire* was instituted to propose a new constitution, which was to be *calculated*, of course, upon the *wants*, *manners*, and *strength*, of Helvetia, and *agreeable to the majority*. The new constitution appeared the 29th May, 1801.

The canton of Valais, which forms the only avenue to the Simplon, being deemed too important a military position to be permitted to remain an independent state, was annexed to France without ceremony. The remaining twenty-one cantons were, by some other arbitrary arrangement, reduced to seventeen. The Helvetic diet, assembled to consider of the constitution, was distracted by irreconcileable opinions and feelings, and a section of the assembly constituting themselves into a *pouvoir exécutif provisoire*, excluded the rest of the members. New constitutions rose and fell, and succeeded each other in rapid succession: there were two promulgated and sworn in the course of the year 1802. Anarchy reigned over the land, insurrections and civil war.

The cantons of Uri, Schwytz, and Underwald, uniformly refused their assent to these successive constitutions, insisting on the antique federative

independence, or an entire separation from Switzerland; and in a public document of the 13th July, 1802, boldly called on the French nation, as the authors of all the harm done, to assist now in repairing it, being encouraged to do so by the French diplomatic agents themselves, who were instructed to bring about the dissolution of the *constitution unitaire*, which had not been found to answer the views of the French government.

Under these circumstances, Buonaparte, then first consul, offered his mediation, and appointed four senators, Barthelemy, Rœderer, Fouché, and Desmeuniers, to meet at Paris ten Swiss deputies appointed by the different parties. Buonaparte conferred several times himself with the deputies, and on one of these occasions (29th January, 1803), he entered so fully and so ably into the matter in dispute, that one of the deputies was induced to set down the conversation from memory as soon as it was over, and submitted what he had written to the revision of another deputy*, to whom we are indebted for a communication of the original draft, deemed sufficiently interesting to insert it

* Mr. Stapfer, formerly minister de la république Helvétique à Paris.

in an appendix to this work. The meeting lasted from one o'clock in the afternoon till eight in the evening.

The earnest interest taken by Buonaparte in the welfare of Switzerland, and his anxious desire to suit its civil institutions to the local prejudices and habits of each small community, was wholly military and political; he looked on Switzerland as an important military position, a watch tower between three great divisions of Europe, of which the act of mediation secured the possession to him without the trouble and expense of a garrison. This act conciliated the people of the subject districts (forming three-fourths of the country, and heretofore held as private property by the remaining sovereign fourth), for it declared there should be *no subject districts in Switzerland, no exclusive privileges.* It pleased the aristocracy, by giving them a certain preponderance in the six *cantons directeurs;* it pleased also the democratic cantons, satisfied with any thing not *unitaire.* Buonaparte found no difficulty in securing an influence over the leading men in each of the cantons, both democratic and aristocratic, whose pride he condescended to flatter on all occasions, and most of whom were anxious to accept of public missions at his court, their ready obedience

going generally a good deal beyond what might have been deemed indispensable.

The treaty, offensive and defensive, imposed on the cantons the obligation of furnishing a body of sixteen thousand effective men; and as the cantons had not the resource of the conscription, high bounties became necessary to obtain voluntary enlistments; but this expense afforded the different governments the plea of necessity to obtain money by taxes, while to the members themselves of these governments it afforded valuable commissions for their sons and young relations. Yet when Buonaparte thought that the restoration of the former order of things in Switzerland would secure his influence there, he was mistaken. Those, even, whose individual interest was best attended to, were only bound to him as long as he was in a situation to injure or to serve them; reserving to themselves the privilege of shaking off the hated yoke as soon as opportunity offered. He suspected it at last, or knew all the time this was the tenure by which a tyrant must submit to hold his dependents; for we find him answering the professions of respect and attachment of burgomaster Reinhard, in 1809, by these remarkable words: *Je veux bien y croire; cependant, si j'avais des revers, c'est alors que je lirais dans vos cœurs!*

All human institutions, even those of which the abuses alone have survived, have had their period of usefulness: the hierarchy of Rome tamed the barbarians of the dark ages; deserts were cultivated by monks whose convents were the only safe repository of human knowledge; we owe to feudal institutions the spirit of chivalry and some heroic virtues; and the aristocracy of cities protected the people against feudal tyranny. The federal form of government had likewise its advantages; it suited the simplicity of the first founders of Helvetic liberty; new auxiliaries, or rather new partners, to the great league of small communities, were easier obtained by leaving them in possession of their peculiar institutions and customs, than if a sacrifice of them had been exacted. The tendency of this form of government was however very soon observable, as a reference to the history of Switzerland sufficiently shows. After the first heroic period, from 1308 to the battle of Morat in 1476, the cantons became jealous and selfish, evincing towards each other that unfriendly spirit foreign states usually entertain for their next neighbours; they learnt to calculate their individual distance from danger before they afforded each other assistance, and were apt to seek in foreign alliances that protection of

which they were not certain at home; thence interminable quarrels among themselves. Their general diets could rarely agree upon, and seldom execute, measures of public utility; and although the Reformation might afterwards change the nature of their civil dissensions, and purify their motives, it did not put an end to them; and a long succession of religious wars left the federal bond more lax and inefficient than ever.

The various governments of Switzerland had overlooked the changes which time, and a variety of events to which they had been strangers, had operated among their neighbours, and the alteration of manners and opinions among their own citizens or subjects themselves. An uninterrupted state of peace for more than three hundred years, had left them in ignorance of their present strength, which they continued to estimate by the battles of the fifteenth century. Engrossed with paltry jealousies, and divided among themselves, they heeded not the awful warning of the French revolution, and neglected to take advantage of the six or seven years breathing time allowed them, to compromise matters with the new principles, fancying they might be stopped at the custom-house on the frontiers; and even those hoards of public money, monuments of an antiquated policy,

which might so easily have been remitted *away*, to England, to the United States, or to any other foreign country out of the reach of invaders, were left to reward them.

The system of confederate republics united under a federal head has been defined, not unaptly, the feudal system applied to democracy; the same broils, the same anarchy, the same loose dependence upon a common head, to whom they render a sort of vain homage, but whom they rarely obey; the same selfishness and want of public spirit. Buonaparte is reported to have said once, that a "federal constitution made an indifferent sort of government for the people who lived under it, but *en revanche*, it answered a very good purpose for the neighbours of that people!"

There is an active and vivifying principle in the division of the civilized world into independent states, which would not exist if that world were all united under one head: nations *hold up*, as it were, the *mirror* to each other, and see abroad what would have escaped their notice at home. The Roman empire languishing in the solitude of its vastness, civilization as well as power expired at last, under the mere want of rivalry and emulation. One empire, vast and solitary as that of Rome ever was, seems now destined to per-

petuate civil infancy to the extremest old age, simply because the rest of the world is to its inhabitants as if it was not. China, divided into half a dozen empires, would not have remained thus stationary; but it may be questioned, whether China, transformed into a vast federal republic of semi-independent states, would have gained any thing but the municipal spirit of Europe without its learning and its virtues. It does not appear that the Grisons, for instance, subdivided into sixty-three federal republics, are much better off than China in point of moral improvement. The small republics of Greece flourished under a loose federal system, and maintained their liberty by deeds of heroic valour, since equalled in Helvetia under the same system of government; but these republics flourished most when the federal bond which united them became so strong, that, to use the expression of Polybius, "nothing was wanting to the states of Peloponnesus but the same walls, to make them one town." This cannot be said yet of Switzerland.

The United Provinces of the Netherlands present another illustrious example of federation: like Switzerland, they conquered their liberty under that form of government; and as in Switzerland the canton of Berne had acquired the

preponderance, in like manner the province of Holland preponderated so much in the confederation, as to connect and bind together the different members of it: but it did not save them from interminable bickerings and occasional civil wars on the subject of their distant colonies, their commercial and their landed interests, their army and their navy; till at last the usurpation of a chief magistrate alone saved the Batavian Union from anarchy and dissolution.

The peculiar situation of the United States of America renders them unfit objects of comparison with any other federal republic of ancient or modern times. More apart from all the world than Rome or China, yet commixed with the rest of mankind, for commercial or friendly purposes, by the facility of their navigation, the United States behold a space of 3500 miles of ocean between them and their enemies, although their friends, their models, or their moral competitors, are at their door. Under such circumstances, they need not a very strong government for the purpose of defence; nor do they need, perhaps, an absolute separation of the States for the purpose of mental improvement and reciprocal emulation. If they have not made much use of this mental proximity with Europe; if the people of the United States,

although superior to the common people in Europe, have so few men to compare with distinguished Europeans, it may not be owing to the defect of their system of government, but to the very advantages of their situation, which do not compel any one to resort to much intellectual exertion for the purpose of obtaining what is within the reach of vulgar abilities. No one in the United States sees himself, unless by his own fault, cut off from the common benefits and decencies of civilised life: for ever unblessed with any of those ties which seem the natural inheritance of the whole animal creation, a sort of supernumerary in real life, reduced to live on the treasures of his own breast, and compelled to seek in the regions of mind what fate has refused him on earth; circumstances, to which mental preeminence is too often due in the old world.

It is well known that the loose sort of federal government, under which the Americans fought for their independence, far from serving the cause in which they were engaged, had nearly proved fatal to it; and the era of their prosperity began only at the adoption of a much stronger federal bond in the year 1788. That new constitution was called emphatically Federal, although the former was federal likewise; but it left a much

greater share of individual independence to the States. The old congress of the United States of America, like the Helvetic diet, was an *advising* power, which proposed measures to be adopted or not, as pleased its constituents!

History furnishes us with numerous examples of federative states opposing a successful resistance to the attacks of a monarch, yet sinking under those of a republic. The small Grecian states confederated, baffled the Great King, and the Helvetic league Austria: the United Provinces of the Netherlands and the United States of America furnish us with other instances. On the other hand, the Achean league and federate Gaul became the prey of Roman ambition; as Holland, Switzerland, and the Germanic body, were vanquished by the armies of France, transformed for a while into a republic. There undoubtedly is in the attack of a free people, led on by men eager for popularity, and whose advancement depends wholly on their personal merit, a very superior energy to that of troops who, were they even to perform prodigies, would not the more attract the favour of their sovereign: for it would still belong, on other grounds, to those on whom he bestows it.

The Swiss had enjoyed for ten years a tolerable

share of independence, under the constitution called *Acte de Mediation*; experiencing no further practical inconvenience than the obligation of recruiting a large contingent of troops, rapidly wasting by sanguinary wars. The difficulty of obtaining voluntary enlistments was, however, increasing rapidly; and little doubt can be entertained that the conscription would have become necessary in a short time, and consequently the internal interference of France. The downfall of the arbitrary *Mediator* was for the Swiss, as for the greatest part of Europe, the signal of a happy deliverance. Berne saw in it more than the other cantons, the probable restoration of their former possessions—it was a natural feeling: national pride, still more than their interest, impelled the Bernese to make a last effort to regain that situation to which long possession gave them a political right. They were not successful, nor was it to be wished that they should. There is a time when the most beneficial institutions, being no longer in harmony with new ideas and new circumstances, perish by the hands of those who may be said to owe to them their existence. It may not be wise to overturn any existing government, however defective, at the risk of what may follow; but when it has fallen by chance,

and is dissolved, it seems folly to reconstruct it on the same model, and lay the seeds of future revolutions.

When the military events of 1812 and 1813, to which Europe looked for its deliverance, brought the seat of war to the banks of the Rhine, and the frontiers of Switzerland, France, which under the directory had invaded that country, and imposed on it afterwards a treaty of alliance offensive and defensive, and had recently (1810) dismembered the canton of Valais for its own use, that is, for the express purpose of conveying an army into the heart of Lombardy, whenever it might suit her purpose; France, we say, might set up the plea of Swiss neutrality, to prevent the allies penetrating that way, but could not expect such a neutrality, *all on one side*, to be respected.

We find an unexpected analogy between the circumstances which led to the invasion of Switzerland by France in 1798, and by the allies in 1813. On both occasions the invaders depended on a certain opposition of views between the government and the people in the aristocratic cantons, as well as between the different cantons themselves, which they knew would paralyse the means of general resistance. The French presumed the people would be for them, and the al-

lies depended on the secret good wishes of the governments. There have been doubts on the nature of the understanding between the Austrians and certain leading personages of the aristocracy, in consequence of Sir Robert Wilson having said publicly, at the head quarters of the allies, then at Basle, that it cost England a good deal to secure the passage of their troops through Switzerland; and also in consequence of some expressions of displeasure which escaped Alexander against those in Switzerland who permitted the violation of the territory, notwithstanding the assurance of protection he had given. As to Sir Robert Wilson, when challenged in London by the Swiss envoy, Mr. Freudenreich, to name those to whom he had alluded, he gave an equivocal answer; and really a bribe was not very likely to be given, when inclination was obviously sufficient without it.

The allied powers had abandoned Switzerland, when, in 1798, their interference might have saved it and themselves; and on several other occasions they had showed great indifference about its fate*,

* As early as 1801, Buonaparte was much disposed to take the Valais, and annex it to France, for the sake of the Simplon. In order to ascertain what means there might be to resist this usurpation, the Helvetic minister (Mr. Stapfer) had some communications with the Austrian and Prussian ministers, M. de

therefore Switzerland owed them no gratitude. But the system of endless wars, and the insatiable ambition of Buonaparte, made his downfall an object of paramount interest to all Europe; and if the co-operation of Switzerland had been necessary, it could not have been withheld. Whether it were necessary is, however, a matter of doubt: at any rate, the tardy invasion of the French territory in 1815 was too like the kick to the sick lion, and availed little as to wiping off the stain on national honour, if any there was, in consequence of the former aggressions of France.

Switzerland is now too well known not to be, as it was formerly imagined, inaccessible at home; yet her means of defence will ever be found adequate to the emergency in a national cause. It has been asserted in the *Chambre des Députés* at Paris, by General Sebastiani, the 17th of June,

Cobentzel, and De Lucchesini. The former, whose court was deeply concerned in the Simplon, answered, "je sens tout ce que vous me dites, mais nous ne pouvons recommencer la guerre pour la Valais!" The Prussian, who was not even disposed to acknowledge the independence of Switzerland, and the Helvetic government, said, "Nous vous reconnoitrons quand la France nous aura dit que vous existez." Thus abandoned, the Swiss minister obtained of Buonaparte a postponement of his views on the Valais, by a secret treaty stipulating a free passage for his troops—it was not annexed to France till eight years after this.

1820, without being contradicted by any other member; but, on the contrary, confirmed out of doors by most military men, that the occupation of Switzerland will be found necessary whenever a general war takes place between France and Germany, the modern system of tactics, called *la grande guerre*, requiring the possession of the *Versans* of the Rhine, and the Danube. Switzerland therefore is to be made the common field of battle of all the powers at war during twenty-five or thirty years in a century, which is about the average rate of war. This is a warning also to the rest of Europe, that the restless spirit of conquests is yet alive.

We might ask, however, whether it is for the purpose of attack, or defence, that the occupation of Switzerland is deemed necessary. If for attack, let it be remembered, that Austria is in full possession of the Splugen, and almost at the foot of the Simplon; it has already passed it once with an army of 50,000 men, and would certainly be before-hand with France, on the first news of an invasion on her part, in occupying the strong positions in Switzerland. If defence be the purpose, it certainly would seem easier for France to defend a line of frontier of one hundred and twenty miles along the Jura, with a neutral army of

60,000 men between them and the enemy, interested in preventing his approach, than a line of nearly five hundred miles (the circumference of Switzerland along the whole course of the Rhine from Basle to its source, and thence along the chain of the Alps), with the army of 60,000 men made hostile, instead of neutral as they were before. Massena in full possession of Switzerland, with an army of 45,000 men, and three or four other armies acting in concert on either side of him beyond the Rhine, and beyond the Alps, in Germany, and in Italy—Massena, we say, assisted by half a dozen of the most skilful generals France then possessed, found it very difficult to maintain his ground; and his army, continually recruited, left 50,000 dead on the numerous fields of battle in Switzerland, without being able ultimately to effect the end proposed—there surely would not be any reason to expect a better result now, or in the event of future wars.

The Helvetic diet, warned of its dangers, is actively employed in giving the best organisation to their militia, and will be able to send into the field 60,000 men at a very short notice. It is intended to fortify St. Maurice, and some of the other narrow passes of the long valley of the Rhone; where it is believed on good authority

(General Le Courbe's *notes instructives*), that 7000 or 8000 men could effectually stop a foreign army in its way, either from the Simplon or Mont Cenis. The diet has it in contemplation to form a great military depôt in some central part of the Alps, where their whole forces would assemble, ready to act against either of the belligerent powers who should first violate her territory. Such certainly are the means of rendering the neutrality of Switzerland effectual, and her neighbours even have a right to expect they should be adopted; this neutrality, to be respected, must be respectable, which in technical language means strong.

APPENDIX.

I.

Janæ Graiæ ad Henricum Bullingerum Epistolæ.

Immortales tibi ago gratias, agamque dum vivam, Vir doctissime: nam relaturam me affirmare non possum; tantis enim tuis officiis non videor mihi respondere posse, nisi forte ita sensurus es, ut me referre gratiam putes, cum memoria tenebo. Neque immerito. Accepi enim a te literas gravissime et disertissime scriptas, quæ quidem mihi gratissimæ erant: tum quod rebus gravioribus emissis ad me, quæ tam eruditi viri literis indigna sum, scribere e tam longinqua regione hac tua ingravescente ætate dignatus es; tum etiam quod ejus generis tua scripta sunt, ut non vulgaria quædam ad delectandum, sed pia et divina ad docendum, monendum, et consulendum, ea præsertim, quæ et meæ ætati et sexui ac familiæ nostræ dignitati inprimis conveniunt, continere videantur: in quibus, ut in aliis omnibus, quæ in summam reipublicæ Christianæ utilitatem edidisti, non solum te exquisite doctum et singulari eruditione præditum ostendisti; sed etiam ingeniosum, prudentem, et pium consiliarium, qui nihil sapis nisi bona, nihil sentis nisi divina, nihil jubes nisi utilia, et nihil paras nisi honesta, pio et tam observando patre digna. O me felicissimam! cui talis contigit amicus

et prudens consiliarius (nam ut *Salomo* habet* כרב יועץ תשועה) quæque jam cum homine tam docto, theologo tam pio et veræ religionis acerrimo προμαχω necessitudinis et amicitiæ jure conjuncta sum. Multis de nominibus Deo O. M. me debere puto, et inprimis quod, postquam me pio *Bucero*, viro doctissimo et patre sanctissimo orbasset, qui dies noctesque πυξ και λαξ non destitit mihi, quæ ad vitam instituendam et formandam necessaria essent, suppeditare, quique meum in omni probitate, pietate, et literarum scientia cursum et progressus provehebat et suis optimis consiliis adhibitis incitabat; te, vir colendissime! mihi ejus loco concessit, qui, ut spero, mihi tardanti et moram trahenti calcaria, ut cœpisti, addere volueris: nihil enim mihi optatius evenire aut accidere potest, quam ut digna hujusmodi clarissimorum virorum, quorum virtutum nullus satis esse possit præco, literis saluberrimisque consiliis ducar, utque idem mihi contingat quod vel *Blesillæ*, *Paulæ*, et *Eustochio*, quas divus ille, ut fertur, *Ieronymus* instituit, et suis concionibus habitis ad divinarum rerum cognitionem perduxit; vel quod mulieri illi ætate confectæ, cui divus *Joannes* epistolium quoddam hortatorium et vere theologicum conscripsit, vel quod *Severi* matri, quæ consilio *Originis* usa est, ejusque monitis acquievit; quæ omnes non tantum sibi laudis et commodi ex corporis forma, generis nobilitate, et divitiarum copia comparaverunt, quantum gloriæ et felicitatis ex prudentissimorum virorum consiliis hauserunt, eo quod non dedignabantur homines illi tam singulari eruditione et admirabili pietate conspicui eas quasi manu ad optima quæque ducere, et quæ ad salutem æternam et futuræ vitæ felicitatem maximum haberent momentum suggerere. Quod ut tu mihi facere

* Proverb. xi. 14. Salus in multitudine consiliariorum.

digneris, cum neque ingenio, nec eruditione, nec pietate infimus inter eos omnes haberi debeas, iterum atque iterum a te peto. Audacula tibi videar oportet, quæ tam audacter hoc efflagito; sed si consilii mei rationem respicere volueris, nempe quod ex pietatis tuæ penu ea depromere cupiam, quæ cum ad mores formandos, tum ad fidem in *Christo* servatore meo confirmandam conducere queant, hoc quod facio mihi vitio vertere nec pro tua humanitate poteris, nec pro tua prudentia volueris.

Ex libello illo veræ et non fucatæ religionis pleno *, quem nuper ad patrem et me misisti, tanquam ex horto amœnissimo flores suavissimos colligo, et pater etiam, dum per gravissima negotia licet, in ejus lectione quotidie sedulo versatur. Quem autem inde uterque reportabimus fructum, de eo tibi et *Deo* propter te immortales gratias agere debemus. Non enim æquum esse putamus, ut per te tuique similes, quos non paucos hac in parte felicissima parit Germania, a Deo O. M. tot tantaque vere divina dona ingratis accipiamus animis. Solemus enim homines hominibus, ut par est, beneficiis beneficia compensare, et donorum collatorum memores nos præstare: quanto magis igitur operam navare debemus divinæ bonitati, si non ex omni parte respondere, at saltem lætis animis, quæ confert, amplecti, et ex animo pro illis gratias agere?

Nunc ad laudes, quas mihi tribuunt literæ, venio, quas ut nec vendicare, ita nullo modo agnoscere debeo; sed quidquid mihi divina bonitas largita est, id omne acceptum illi refero, tanquam mearum rerum omnium, quæ virtutis aliquam speciem habent, Autori summo et soli, quem meo nomine roges velim, ornatissime vir, assiduis tuis precibus,

* De Perfectione Christianorum, ad Henricum II. Gall. Reg.

ut me hac in parte measque rationes omnes ita moderetur, ut tanta ejus benignitate non indigna reperiar.

In animum induxerat illustrissimus pater meus ad tuam humanitatem scribere pariterque gratias pro tuis præclare susceptis laboribus et singulari illa humanitate, qua inductus es suo nomini Sermonum quintam decadem inscribere, ejusque auspiciis in lucem edere; nisi gravissimis regiæ majestatis negotiis in ultimos Britanniæ fines fuisset avocatus; sed ubi per publicas occupationes vacabit, quam diligentissime ad te scribere se velle affirmat. Postremo Hebraicari jam incipienti mihi si viam et modum aliquem ostenderis, quem in hoc studiorum cursu tenere maxima cum utilitate debeam, me longe tibi devinctissimam reddideris. Vale, totius ecclesiæ Christianæ summum decus et ornamentum, et te diu nobis suæque ecclesiæ superstitem servet Deus Optimus Maximus.

Tuæ pietati deditissima,

JOANNA GRAIA.

FACERE non possum, ni nimis ingrata officii immemor, et beneficiis tuis indigna videri velim, vir ornatissime, quin in singulas res meritaque tua, quæ plurima fuerunt, gratias tibi ingentes agam. Quanquam mihercule et id cum pudore facio: neque enim tanta necessitudo, quantam tu mihi tecum esse voluisti, neque tot beneficia a te in me his prorsus indignam collata tantummodo gratiarum actionem videntur desiderare*, neque ego lubenter pro maximis tuis beneficiis tam vili orationis munere defungor. Hoc etiam nonnihil angit animum meum, cum ad literas, quas tanto

* Scripsit Joanna *desyderare*; et paullo ante *tantumodo*.

viro darem, excogitandas quam parum idonea sim mecum perpendo. Neque certe meis næniis puerilibusque nugis tuam gravitatem perturbare, aut tanta barbarie tuæ eloquentiæ obstrepere vellem atque auderem: nisi et nullo me alio modo tibi gratificari posse scirem, et de tua solita satisque perspecta mihi humanitate haud dubitarem. De literis autem, quas proxime abs te accepi, sic habeto. Posteaquam semel atque iterum (nam semel non videbatur satis) eas legissem, tantum fructus reportasse ex tuis præclaris et vere theologicis præceptis * visa sum, quantum ex diuturna optimorum auctorum lectione vix eram assequuta. Suades ut veram sinceramque in Christo servatore meo fidem amplectar tibi in hac parte. Ὅσον ὁ Θεὸς δώσει enitar satisfacere. Sed donum Dei agnosco eam esse, et proinde tantum polliceri debeo quantum Dominus impertierit, neque tamen cum Apostolis orare desistam, ut eam mihi sua benignitate in dies augere velit. Huic etiam Deo juvante, ut jubes, adjungam vitæ puritatem, quam meæ heu nimium infirmæ vires præstare poterunt. Tu interea pro tua pietate in oratione tua mei quotidie facias mentionem rogo. Ad Hebraicæ linguæ studium eam ingredior viam, quam tu fidelissime monstras. Vale. Et Deus te in hac suscepta abs te provincia tueatur et provehat æternum.

Tibi ad omnia pietatis officia paratissima,

JOANNA GRAIA.

[Externa epistolæ inscriptio manu Joannæ: Colendissimo viro Henrico Bullingero hæ traduntur literæ. Inferius alia manu: Ducis Suffolciæ F. 1552.]

* Scripsit *preceptis*. Paullo post *autorem* et *synceramque* Græca autem, ut dedi, cum accentu.

Sera officii recordatio reprehendi non debet, præsertim si nulla negligentia prætermissa est, vir doctissime: longe enim absum: pauci sunt tabellarii: audio autem sero. Sed jam cum eum habeam γραμματοφορον *, cujus opera et meæ tibi et tuæ mihi tradi solent literæ, officio meo deesse non debui quin ad te scribendo et verbis optarem optime et re haberem gratiam quam diligentissime. Tanta enim tua apud omnes auctoritas †, tanta in prædicando, ut audio, gravitas, tantaque, ut qui te norunt referre solent, vitæ integritas, ut tuis non solummodo dictis, sed etiam vitæ moribus tam peregrinæ et exteræ nationes, quam etiam ea quam ipse incolis patria magis ad bene beateque vivendum incitentur: non enim tantummodo, ut Jacobus habet, evangelii et sacrorum Dei mandatorum ebuccinator et prædicator diligens, sed ejus etiam effector et operator verus es, eaque vita præstas quæ verbis imperas, minime temet ipsum fallens. Nec equidem his similis es qui externam suam faciem in speculo considerent, et quamprimum discesserint, qualis ejus forma fuerit, oblivioni tradunt; sed et vera et sincera prædicas, et vivendi ratione aliis, ut id sequantur quod et jubes et facis, exemplo et παραδειγματι ‡ es. Sed quid hæc ad tuam gravitatem scribo, cum tanta mea barbaries sit, ut nec digne tuam pietatem laudare, nec satis vitæ integritatem encomiis § celebrare, nec, prout convenit, suspiciendam et admirandam doctrinam enarrare possit. Opus enim esset, ut, si prout veritas postulat, te collaudarem;

* Sine accentu.

† Scripsit *authoritas*. Post *solumodo, peregrinæ, tantumodò, consyderent.*

‡ Sine accentu.

§ Scripsit *encomæis*. Post *pro ut*.

Demosthenis vel facundiam vel Ciceronis eloquentiam haberem. Tanta enim tua sunt merita, ut cum et tempus satis longum, tum etiam ingenii acumen et sermonis elegantiam plus quam puerilem ad ea explicanda desiderent. Tantum enim in te sibi, ut apparet, placuit Deus, ut et te suo regno et huic mundo adaptaverit, in hoc enim terreno vitæ ergastulo ætatis cursum transigis, quasi mortuus esses, cum tamen vivis, idque non solum primum Christo, sine quo nulla vita esse potest, et deinde tibi, sed etiam infinitis aliis, quos ut ad eam immortalitatem quam ipse assequuturus * es posteaquam ex hac vita migraveris, Diis volentibus, perducas strenue labores et assidue conaris, utque id tua pietas effectum reddat quod cupit, Deum παντοκράτερα † omnium rerum bonarum largitorem precari non cessabo, ejusque divinas aures, ut diu in hac vita superstes sis, pulsare non desinam. Hæc ad te audacius quam prudentius scripsi: sed tua in me beneficia tanta exstiterunt, qui ad me tibi incognitam scribere et quæ ad animum ornandum et mentem expoliendam necessaria essent suppeditare dignatus es, merito negligentiæ incusari et officii oblita videri possem, si omnimodo me tui tuorumque meritorum memorem haud præberem. Magnaque præterea mihi spes est, te huic meæ plus quam muliebri audaciæ, quæ virgo ad virum, et indocta ad eruditionis patrem scribere audeam, ignoscere, et meæ barbariei, quæ te gravioribus rebus occupatum meis tricis, næniis et puerilibus literis perturbare non debitam veniam dare velle. Quod si a te impetravero, me multis nominibus tuæ pietati debere plurimum, existimabo. Si quid enim hac in parte peccatum fuerit, mei erga te tuas-

* Sic supra scriptum manu Joannæ, literis paullo minoribus: sine commate.

† Sine accentu.

que virtutis* amoris abundantiæ potius tribuendum est, quam vel audaciæ, quæ in nostrum sexum cadere nullo modo debet, vel temeritati, quæ τῃ τῃς χρισεως δυναμει † valde adversari solet. Splendor si quidem tuarum dotum ita mentis meæ aciem, vel cum tua lego, vel cum de te cogito, perstringit, ut non quid meæ conveniat conditioni, sed quid tuæ debetur dignitati, in mentis meæ cogitationem veniat. Ceterum ‡ hic fluctuare animus solet atque in diversas distrahi partes, dum quid mea ætas, sexus, et in literis mediocritas, imo infantia potius, postulat, mecum considero, quæ, cum singula, tum universa multo magis, a scribendi officio deterrent. Contra autem cum tuarum virtutum præstantiam, famæ tuæ celebritatem, et meritorum tuorum erga me magnitudinem intueor, superior inferiori § cogitatio cedit, το πρεπον μου || dignitati tuæ; et plus apud me, quod tua postulant merita, quam quod alia suadent omnia, valere solet. Reliquum autem est, vir clarissime, ut vehementer a te petam meo nomine viro illi inclyto et eruditione, pietate gravitateque antesignano, nomine Bibliandro, mihi tamen incognito, salutem ex animo dicere. Tantam enim ejus in nostra patria eruditionis famam audio, tamque illustre ejus nomen apud omnes ob singulares animi dotes a Deo illi concessas esse accipio, ut nolens volens hujusmodi viri cœlitus, ni fallor, nobis emissi pietatem sinceritatemque amplecti, quæ paululum cognitionis consecuta sum, cogar; et

* Sic, antiquâ formâ accusativi.

† Sine accentibus.

‡ Scripsit *cæterum*.

§ In autographo est extremâ lineâ *sup.* tum ob chartam paullulum discissam nonnullarum syllabarum lacuna. Initio sequentis lineæ est *seriori cogitatio.*

|| Sine accentu.

ut diu hujusmodi ecclesiæ columnæ, qualis * vos estis, prospera sint valetudine, Deum precor. Tuæ autem gravitati bene optare, ob humanitatem mihi ostensam gratias agere, et multum valere jubere, quamdiu spirare licuerit, non desinam. Vale, vir doctissime.

Tuæ pietati deditissima,

JOANNA GRAIA.

II.

Johannis ab Ulmis ad Bullingerum Epistola.

REDII è Scotia quarto Calend. Junii ad ducissam uxorem principis, ubi biduu' hoc cum Joan'a domini filia, et Ælmero et Haddono viris optimis et sanctissimis suaviter traduco. Fuit, mihi crede, liber tuus principi et gratissimus et jam diu ac multum expectatus. Obtuli eum ejus celsitudini in magna hominum frequentia, simul enim illo ipso tempore multi Berwikum confluxerant Scoti principes pacificandi studio inter utraque regna; episcopus Aralensis et princeps à Maxfild: ab omnibus multu' app'batum intelligo, præcipue ab Episcopo Norwicense Anglo, homine cum primis docto, ac principi, officium hoc tuum laudate ac honorifice concessum certe persuadeas tibi velim. Scripsisset sanè ad te quam lubentissime, nisi gravissimis majestatis regiæ negociis et publicis rebus magnopere esset disfractus, de qua etiam re, tum per meas, tum filiæ literas se tibi vult excusatum quam diligentissime. Multa de te sum tum temporis interrogatus et de vitæ tuæ rationibus, et de liberis ac tota denique familia, potissimum autem quo munere aut dono maxime gaudere te existimarem. Ego vero constanti voce ad prin-

* Sic, formâ antiquâ.

cipem dixi, id unum te spectasse, ut promulgetur doctrina filii Dei, ut collapsa Dei domus restauretur, et tyran'is Papæ condemnetur, nec te aliud a regia majestate postulasse, nec sanè diversum a principe impetraturum te sperasse. Hæc ad te breviter, ad principe' vero et copiosius et disertius, ut res tum postulare videbatur, sum elocutus. Præmeditabar enim jam antea, quod mihi esset usu postea venturum, si qua quæ visa sunt respondi. De filiæ principis in te studio et observantia, ipse facile ex ejus doctissima epistola tibi descripta cognosces. Ego sanè nihil hac virgine humanius si familiam, nihil doctius si ætatem, nihil denique beatius si utram consideres, unquam extitisse opinor: fama percrebuit, et in ore atque sermone magnorum virorum cœpit esse nobilissimam hanc virginem regiæ majestati despondendam atque locandam. Si id contingat, quam felix matrimonium et ecclesiæ salutiferum tum fore arbitrabamini? Sed ea de re viderit Deus Optimus Max. qui solus viget, sentit, meminit, prævidet omnia atque disponit omnia pro arbitratu suo. Haddemus verbi minister, et Aelnirus institutor filiæ, te perofficiose et peramanter colunt atque observant; erit tuæ humanitatis omnibus quam primum rescribere; Scin'erus est in aula cum rege, Wullokus in finibus Scotiæ, verbum Dei multo cum labore anunciat Treherus; rus concessit ex aula, et literis interioribus, hoc est Græcis, potissimum fruitur. Extremum est ut valeas, et literas si quas ad principem scribis, ad me prius semper deferri cures: hoc ut velis te tam rogo quam quod vehementissime. Salutem dicas velim D. Gwalthero verbis plurimam, et si com'odum sit nominatim D. Pellicano. Tum atque iterum vale, vir doctissime. Calend. Jan. 1591.

Tui amantissimus et constantissimus in Christo filius,

JOH. AB ULMIS.

CONFERENCE

Que les dix Députés Suisses, nommés par les deux partis, ont eu avec le Premier Consul, le 29 Janvier 1803, depuis une heure après midi jusqu'à huit heures du soir.

Nous avons, dit Bonaparte, un grand travail aujourd'hui. Il s'agit d'arranger les intérêts des différens partis en Suisse. On m'a dit que les points principaux sur lesquels vous êtes divisés, concernaient la liquidation de la dette, et ensuite plusieurs articles des organisations cantonales. Commençons par celles-ci :

Cantons démocratiques.

Le rétablissement de l'ancien ordre de choses dans les cantons démocratiques, est ce qu'il y a de plus convenable et pour vous et pour moi. Ce sont eux, ce sont leurs formes de gouvernement qui vous distinguent dans le monde, qui vous rendent intéressans aux yeux de l'Europe.

Sans ces démocraties, vous ne présenteriez rien que ce que l'on trouve ailleurs; vous n'auriez pas de couleur particulière; et songez bien à l'importance d'avoir des traits caractéristiques; ce sont eux qui éloignant l'idée de toute ressemblance avec les autres états, écartent celle de vous confondre avec eux et de vous y incorporer.

Je sais bien que le régime de ces démocraties est accompagné de nombre d'inconvéniens, et qu'il ne soutient pas l'examen aux yeux de la raison; mais enfin il est établi depuis des siècles, il a son origine dans le climat, la nature, les besoins et les habitudes primitives des habitans; il est conforme au génie des lieux, et il ne faut pas avoir raison en

dépit de la nécessité.—Les constitutions des petits cantons ne sont sûrement pas raisonnables, mais c'est l'usage qui les a établies: quand l'usage et la raison se trouvent en contradiction, c'est le premier qui l'emporte.

Vous voudriez aneantir ou restreindre les *landsgemeinden*, mais alors il ne faut plus parler de démocraties, ni de républicains. Les peuples libres n'ont jamais souffert qu'on les privât de l'exercice immédiat de la souveraineté; ils ne connaissent ni ne goûtent ces inventions modernes d'un système représentatif, qui détruit les attributs essentiels d'une république. La seule chose que les législateurs se soient permis, ce sont des restrictions qui, sans ôter au peuple l'apparence d'exercer la souveraineté immédiatement, proportionnaient l'influence à l'éducation et aux richesses.

Dans Rome, les vœux se comptaient par classes, et on avait jeté dans la dernière toute la foule des prolétaires, pendant que les premières contenaient à peine quelques centaines de citoyens opulens et illustres; mais la populace était également contente et ne sentait point cette immense différence, parce qu'on l'amusait a donner ses votes qui, tous recueillis, ne valaient pas plus que les voix de quelques grands de Rome. Ensuite, pourquoi voudriez-vous priver ces pâtries du seul divertissement qu'ils peuvent avoir? Menant une vie uniforme qui leur laisse de grands loisirs, il est naturel, il est nécessaire qu'ils s'occupent immédiatement de la chose publique. C'est cruel d'ôter à des peuples pasteurs des prérogatives dont ils sont fiers, dont l'habitude est enracinée, et dont ils ne peuvent user pour faire du mal. Dans les premiers momens où les persécutions et l'explosion des passions seraient à craindre, la diète les comprimera. D'ailleurs, puisque vous insistez là-dessus, et qu'on observe que ce n'est pas contraire à l'ancien usage, on peut obliger

les *landsgemeinden* à ne traiter que les objets qui leur soient indiqués par le conseil, et ne permettre que les motions qui ont eu auparavant l'agrément de cette autorité. On peut aussi sans inconvéniens exclure les jeunes gens au-dessous de vingt ans. Il faut empêcher qu'un petit lieutenant en sémestre, assistant à la *landsgemeinde* de son canton, ne puisse faire des motions incendiaires et renverser le gouvernement.—Pour la justice criminelle, elle appartenait au *landsgemeinden ;* vous avez l'ostracisme dans vos petits cantons et même plus ; vous prenez quelquefois les biens d'un citoyen qui vous paraît être trop riche.—C'est bien étrange tout cela, sans doute ; mais cela tient à la démocratie pure : vous voyez dans l'histoire le peuple Athénien en masse rendre des jugemens.

Il faut bien établir dans le pacte fédéral qu'aucune poursuite pour le passé ne puisse avoir lieu dans aucun canton ; et enfin, un citoyen qui ne trouverait plus de sûreté dans son canton, s'établira dans un autre. Cette faculté et celle d'exercer son industrie partout, doit être générale pour tous les Suisses. On dit que les petits cantons répugnent à ce principe ; mais qui est-ce qui se soucierait de s'établir dans leurs vallées et au milieu de leurs montagnes ? C'est bon pour ceux qui y sont nés ; mais d'autres ne seront sûrement pas tentés d'y aller.

Les petits cantons ont toujours été attachés à la France, jusqu'à la révolution. Si depuis ce temps ils ont incliné pour l'Autriche, cela passera. Ils ne pourront pas desirer le sort des Tyroliens. Sous peu, les relations de la France avec ces cantons seront rétablies telles qu'elles étaient il y a quinze ans, et la France les influencera comme autre fois. Elle prendra des régimens à sa solde, et rétablira ainsi une ressource pécuniaire pour ces contrées pauvres. La France

fera cela, non qu'elle ait besoin de ces troupes. Il ne me faudrait qu'une arrêté pour les trouver en France. Mais elle le fera, puisqu'il est de l'intérêt de la France de s'attacher les démocraties. Ce sont elles qui forment la véritable Suisse; la plaine ne lui a été adjointe que postérieurement. Toute votre histoire se réduit à ceci: vous êtes une agrégation de petites démocraties et d'autant de villes libres impériales, formée sous l'empire de dangers communs, et cimentée par l'ascendant de l'influence Française: depuis la révolution vous vous êtes obstinés à chercher votre salut hors de la France. Il n'est que là: votre histoire, votre position, le bon sens vous le disent. C'est l'intérêt de la défense qui lie la France à la Suisse; c'est l'intérêt de l'attaque qui peut rendre intéressante la Suisse aux yeux des autres puissances. Le premier est un intérêt permanent et constant; le second dépend des caprices et n'est que passager. La Suisse ne peut défendre ses plaines qu'avec l'aide de la France. La France peut être attaquée par sa frontière Suisse; l'Autriche ne craint pas la même chose. J'aurais fait la guerre pour la Suisse, et j'aurais plutôt sacrifié cent mille hommes que de souffrir qu'elle restât entre les mains des chefs de la dernière insurrection, tant est grande l'influence de la Suisse pour la France. L'intérêt que les autres puissances pourraient prendre à ce pays est infiniment moindre. L'Angleterre peut bien vous payer quelques millions; mais ce n'est pas là un bien permanent. L'Autriche n'a pas d'argent, et elle a suffisamment d'hommes. Ni l'Angleterre ni l'Autriche, mais bien la France, prendra vos régimens Suisses à sa solde. Je déclare que depuis que je me trouve à la tête du gouvernement, aucune puissance ne s'est intéressée au sort de la Suisse. Le roi de Prusse et l'empereur m'ont instruit de toutes les démarches d'Aloys

Reding.—Quelle est la puissance qui pourrait vous soustraire à mon influence? C'est moi qui ai fait reconnaître la république Helvétique à Lunéville; l'Autriche ne s'en souciait nullement. A Amiens, je voulais en faire autant; l'Angleterre l'a refusé. Mais l'Angleterre n'a rien à faire avec la Suisse: si elle avait exprimé des craintes que je voulusse me faire votre landamann, je me serais fait votre landamann. On a dit que l'Angleterre s'intéressait à la dernière insurrection; si son cabinet avait fait à ce sujet une démarche officielle, s'il y avait eu un mot dans la gazette de Londres, je vous réunissais.

Je le répète, si les aristocrates continuent à chercher des secours étrangers, ils se perdront eux-mêmes, et la France finira par les chasser. C'était cela qui avait perdu Reding; c'est cela qui a perdu De-Mulinen; c'est le parti aristocrate qui a perdu la Suisse. Et de quoi vous plaignez vous? (En s'adressant à la section aristocrate): si je m'adresse à vous, j'entends parler de votre parti et non point de vos individus. —Vous avez traversé la révolution en conservant vos vies et vos propriétés. Le parti républicain ne vous a point fait de mal. Même dans la plus grande crise, du temps de Laharpe, il n'a versé aucun sang; il n'a pas commis de violences ni fait de persécutions; il n'a même aboli ni les dîmes ni les censes. S'il avait aboli les censes, le peuple se serait rangé de son côté, et la popularité dont vous vous vantez serait tout-à-fait nulle. Le gouvernement unitaire a repoussé les seuls moyens qu'il avait de se faire des adhérens; il a contrarié les vœux du peuple des campagnes pour l'abolition des cens et des dîmes sans indemnités, et pour les élections populaires. C'est par là qu'il a prouvé que jamais il n'a ni pu ni voulu faire une révolution. Mais vous, au premier moment où vous avez repris votre autorité, vous avez arrêté, incarcéré, persécuté à Arau, à Lucerne, à

Zurich, et partout vous avez été loin de montrer la modération des républicains.

On a tant crié sur le bombardement de Zurich; il n'en valait pas la peine: c'était une commune rebelle. Si un de mes départemens s'avisait de me refuser d'obéir, je le traiterais de même, et je ferais marcher des troupes. . . . Et vous! n'avez-vous pas bombardé Fribourg et Berne? Ce n'est pas la violence, ce n'est que la faiblesse qu'on doit reprocher au gouvernement Helvétique; il fallait rester à Berne et y savoir mourir, mais non point fuir comme des lâches devant Watteville et quelques centaines d'hommes. Quelle conduite indigne n'a pas montré ce Dolder, qui se laisse enlever de sa chambre? Quand on veut se mêler de gouverner, il faut savoir payer de sa personne; il faut se laisser assassiner. —J'ai beaucoup entendu critiquer les proclamations du citoyen Monod; pour moi je les ai très approuvées. J'aime l'énergie, et je l'estime: il en a montré dans sa conduite. Mais vraiment votre gouvernement central, depuis le temps de Reding, n'a été que méprisable. Reding n'a montré ni bon sens ni intelligence. Il est venu ici: c'était déjà très hasardé; mais il pouvait en tirer profit. Au lieu de cela, il s'est obstiné sur le Valais et le pays de Vaud; et quoique je lui eusse dit que le soleil retournerait plutôt de l'occident à l'orient que le pays de Vaud fût rendu à Berne, toujours le pays de Vaud était son cheval de bataille. Ensuite il fait la sottise d'envoyer à Vienne ce Diesbach, qu'on n'avait pas voulu recevoir ici.

Constitution pour les Grisons.

Vous m'en voulez toujours un peu (en s'adressant à Sprecher) pour la Valteline; mais vous avez mérité de la perdre; et je ne ferais que vous tromper, si je vous donnais des espérances de la réacquérir. Il n'en est pas de même

pour les biens séquestrés dans la Valteline, appartenant à des Grisons, s'ils ne sont pas vendus; et j'ai envoyé votre mémoire à Milan.

Sur l'observation faite par un membre que la neutralité devant être rendue à la Suisse, il conviendrait que la Valteline en fît partie, pour que l'empereur ne pût entrer par elle en Italie : le consul trouve que la France en pourra mieux profiter pour l'attaque.

Constitution des cantons aristocratiques.

Dans les cantons aristocratiques, vos objections tombent principalement sur les conditions d'éligibilité, sur le *grabeau* et la durée des fonctions. Le grabeau me paraît de rigueur absolue dans les aristocraties. Toutes les aristocraties ont un penchant à se concentrer, à se former un esprit indépendant des gouvernés, de leurs vœux et des progrès de l'opinion, et deviennent à la longue à la fois odieuses et insuffisantes aux besoins des états qu'elles administrent. Le seul remède à ces maux, au moins le seul moyen d'empêcher qu'elles ne prennent des racines et des accroissemens trop rapides, et que les gouvernemens, en devenant insupportables, ne provoquent des mouvemens d'insubordination et d'anarchie, c'est le grabeau. Toutes les aristocraties s'en sont servies. Il paraît donc qu'il est un rouage absolument nécessaire. Les grands inquisiteurs à Venise, les censeurs à Rome, étant toujours des magistrats vénérables et ambitieux de l'estime, n'osaient heurter l'opinion, et se voyaient forcés d'éliminer les sénateurs qui devenaient impopulaires ou méprisables.

Vous avez eu vos grabeaux dans toutes vos anciennes aristocraties. Pour en prévenir l'abus, on peut en régulariser l'exercise. Il peut être aboli pour le petit conseil comme

nullement nécessaire pour ce corps, qui est renouvelé tous les deux ans par tiers; mais les places du grand conseil étant à vie, ce principe aristocratique de vos constitutions rend absolument nécessaire le grabeau, qui, au lieu de chaque année, pourra ne s'exercer que tous les deux ans. Les places à vie sont nécessaires pour donner de la stabilité et de la considération au gouvernement. Il faut que de nouvelles aristocraties se forment; et pour prendre consistance et s'organiser d'une manière qui promette ordre, sûreté, et stabilité, il faut qu'il y ait des points fixes, qui servent de pivot aux hommes en mouvement et aux choses qui changent. Quant aux conditions pécuniaires d'éligibilité, les campagnes ont intérêt à ce qu'elles ne soient pas trop atténuées. Des membres du grand conseil, dont la pauvreté inspirerait le mépris, déconsidéreraient leurs commettans dans la capitale, et porteraient atteinte au respect dû à leur corps, par la mesquinerie de leur existence, dans une ville où ils seraient surpassés en dépenses par les plus simples bourgeois.—L'élection immédiate est préférable à des corps électoraux, dont l'intrigue et la cabale s'emparent plus facilement. Nous en avons fait l'expérience en France pendant le cours de la révolution. Et vous (en s'adressant au côté aristocratique) vous y gagnerez. Le peuple même se laissera plutôt influencer par un grand nom, par des richesses et l'opinion, que des assemblées électorales. Les 1000 francs pourront être diminués de moitié, de manière qu'il soit nécessaire, pour voter, de posséder au moins 500 francs et un droit de bourgeoisie dans le canton. Il serait même convenable de fixer une somme encore moins forte dans certains districts peu favorisés de la fortune, comme l'Oberland. L'état de mariage ou de veuvage qui avait été exigé pour pouvoir voter, se modifiera de manière qu'un citoyen non marié puisse exercer les droits politiques à trente ans. Il est important d'empêcher qu'un jeune militaire, qui

ne tient par aucun lien de famille à la patrie, ne vienne pour six mois dans le pays pour vous troubler et s'en retourner ensuite.

Sur l'observation qu'il résulterait des avantages du renouvellement simultané d'une partie considérable du grand conseil, le premier consul approuva la proposition de ne faire les élections que de loin en loin, et lorsqu'il manquerait un grand nombre de membres qui seraient remplacés tous à la fois.

Il accède à la demande faite par Reinhart, que les tribus puissent nommer librement les candidats dans les divers districts du canton, à l'exception de leur propre district. Il observe que certainment cela sera d'un grand avantage pour les villes, qui offriront un choix infiniment plus nombreux que les districts des campagnes.—Les députés du côté droit, à l'exception de M. R., conviennent de cet avantage.—D'où vient donc, dit Bonaparte, cette animosité de la campagne contre la ville, dans votre canton?—Cela tient, répond R., à des causes physiques et morales, et surtout à la richesse des paysans.

Nouveaux cantons.

Le grabeau sera mis de côté comme inutile, puisque le grand conseil n'est pas à vie.

(On demande une rédaction de l'article sur l'organisation judiciaire, qui ne dit pas si la loi a la faculté d'établir des juges.)

Le consul veut que l'article soit rédigé en form très générale. Il ajoute: la constitution ne devrait déterminer que le mode selon lequel se fait la loi. Si elle dit plus, c'est mauvais; et si elle dit trop et qu'on ne puisse faire autre-

ment, on la casse. La constitution ne devrait point parler du pouvoir judiciaire; quant aux jurés nous trouvons de très grandes difficultés en France pour cette institution. Les jurés ne jugent que trop souvent par passions; mais il se peut que quand les passions seront plus calmes, on puisse tirer avantage de cette institution. Nous sommes à reconnaître que les juges doivent être à vie, et qu'il est bon qu'ils soient des hommes de loi. C'est alors qu'il s'occupent non seulement par devoir, mais avec intérêt et plaisir de leurs fonctions.

Pacte fédéral.

Vous auriez pu avoir le système d'unité chez vous, si les dispositions primitives de vos élémens sociaux, les événemens de votre histoire, et vos rapports avec les puissances étrangères vous y avaient conduits. Mais ces trois classes d'influences puissantes vous ont justement mené au système contraire. Une forme de gouvernement, qui n'est pas le résultat d'une longue suite d'événemens, de malheurs, d'efforts et d'entreprises d'un peuple, ne peut jamais prendre racine. Des circonstances passagères, des intérêts du moment peuvent conseiller un système opposé et même le faire adopter; mais il ne subsiste pas. Nous avons aussi eu des fédéralistes. Marseille et Bordeaux s'en trouvaient bien; mais les habitudes du peuple Français, le rôle qu'il doit par sa position et qu'il désire par son caractère jouer en Europe, s'opposent à ce qu'il consente à un système contraire à sa gloire autant qu'à ses usages. Mais vous êtes dans un cas tout-à-fait différent; la tranquillité et l'obscurité politique vous conviennent uniquement. Vous avez joué un rôle dans votre temps, quand vos voisins n'étaient guère plus puissans que

vous. A présent que voulez-vous opposer aux puissances de l'Europe, qui voudraient attenter à vos droits et à votre repos? Il vous faudrait six mille hommes pour soutenir le gouvernement central; et quelle figure feriez-vous avec cette force armée?—Ni elle ni les finances que vous pourriez avoir, ne seraient assez considérables pour vous faire jouer un rôle. On observa au premier consul que ce n'était point pour jouer un rôle que l'on souhaitait une autorité fédérale assez forte pour faire fléchir l'intérêt particulier devant celui de tous les grandes crises, ou lorsqu'il s'agissait d'entreprises nécessaires, mais impossibles à exécuter sans le concert et la coopération de tous les cantons.—Une pareille autorité, se légitimant par son évidente utilité, n'aurait pas besoin d'armée permanente pour se fair obéir, ni d'impôts onéreux à la nation.—Le premier consul, dont le parti était pris, ne se rendit point.—Il est d'ailleurs assez probable qu'en ramenant la Suisse aux anciennes formes, il voulait préparer la France au même rétablissement à son profit.—Quelques uns des sénateurs, nommés pour conférer avec les députés Suisses, avaient pénétré ce dessein, et l'un d'eux s'en ouvrit franchement.—La Suisse, continua Bonaparte, a été intéressante aux yeux de l'Europe comme état fédératif, et elle pourra le redevenir comme tel. Plutôt que d'avoir un gouvernement central, il vous conviendrait de devenir Français: c'est là qu'on va la tête levée.

Un membre observe que les Suisses ne pourraient pas supporter les impôts de la France.—Sans doute, réplique le consul, cela ne peut vous convenir; aussi jamais n'y avait-on pensé ici. Je n'ai jamais cru un moment que vous pussiez avoir une république une et indivisible. Dans le temps où j'ai passé par la Suisse pour me rendre à Rastadt, vos affaires auraient pu s'arranger facilement. Je fis part

alors au directoire de ce que je pensais sur ces affaires. J'étais bien de l'avis qu'on devait profiter des circonstances, pour attacher plus étroitement la Suisse à la France. Je voulais d'abord séparer le pays de Vaud de Berne, pour en faire un canton séparé. Cela convenait à la France pour toutes sortes de raisons. Ensuite je voulais quadrupler le nombre des familles régnantes à Berne, ainsi que dans les autres aristocraties, pour obtenir par là une majorité amie de la France dans leurs conseils; mais jamais je n'aurais voulu une révolution chez vous.

Une membre du côté aristocratique lui ayant demandé la reddition des armes et l'élargissement des prisonniers d'Arbourg, Bonaparte ne répond rien, se détourne et parle d'autres choses.

THE END.

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